



# Journal of the Senate

State of Indiana

114th General Assembly

Second Regular Session

Second Meeting Day

Monday Afternoon

January 9, 2006

The Senate convened at 1:35 p.m., with the President Pro Tempore of the Senate, Robert D. Garton, in the Chair.

The Senate Reader was directed to read the following section from Judge Hamilton's Order dated November 30, 2005, in the captioned case:

ANTHONY HINRICHS, et al.,

Plaintiffs,

v.

BRIAN BOSMA, in his official capacity  
as Speaker of the House of Representatives of the  
Indiana General Assembly,

Defendant.

## FINAL DECLARATORY JUDGMENT AND PERMANENT INJUNCTION

This matter having been tried to the court, and the court having issued its findings of fact and conclusions of law, it is hereby ORDERED, ADJUDGED, AND DECREED:

1. That defendant Speaker of the House of Representatives of the Indiana General Assembly, in his official capacity, is permanently enjoined from permitting sectarian prayers to be offered as part of the official proceedings of the House of Representatives. If the Speaker chooses to continue to permit non-sectarian prayers as part of the official proceedings, he shall advise all persons offering such prayers (a) that the prayers must be non-sectarian and must not be used to proselytize or advance any one faith or belief or to disparage any other faith or belief, and (b) that the prayers should not use Christ's name or title or any other denominational appeal. This injunction applies to the Speaker, and to his agents, servants, employees, and attorneys, and all other persons in active concert with them who receive actual notice of this injunction by personal service or otherwise.

DAVID F. HAMILTON, JUDGE  
United States District Court  
Southern District of Indiana

Silent Prayer followed the reading.

The Pledge of Allegiance to the Flag was led by the President Pro Tempore of the Senate.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Becker	Lubbers
Bowser	Lutz
Bray	Meeks
Breaux	Merritt
Broden	Miller
Craycraft	Mishler

Delph	Mrvan
Dillon	Nugent
Drozda	Paul
Ford	Riegsecker
Gard	Rogers
Garton	Simpson
Harrison	Sipes
Heinold	Skinner
Hershman	Smith <input checked="" type="checkbox"/>
Howard	Steele
Hume	Tallian
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

[Note: Senator J. Murray Clark resigned effective Monday, November 14, 2005. Senator Rose Ann Antich-Carr resigned effective Friday, November 25, 2005.]

Roll Call 2: present 49; excused 1. [Note: A ☒ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

## REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: On Organization Day, I reported that on November 14, 2005, Senator J. Murray Clark resigned his seat at the Indiana State Senate and on November 16, 2005, I notified the Indiana Republican Party State Chairman of Senator Clark's resignation.

Pursuant to the provisions of IC 3-13-5-6 and IC 3-13-5-7, the attached documents are submitted for inclusion in the Journal of the Senate:

1. Indiana Republican Party State Chairman's Certification of Selection of Mike Delph to fill the vacancy in the office of the Indiana Senate, District 29.
2. President Pro Tempore's Notice to the Indiana Secretary of State of the Indiana Republican Party State Chairman's Certification of Selection of Mike Delph.
3. Indiana Secretary of State's Certificate of Selection to State Legislative Office certifying the selection of Mike Delph to fill the vacancy in the office of the Indiana Senate, District 29.
4. President Pro Tempore's acknowledgment of receipt of the Certificate of Selection from the Indiana Secretary of State.

5. Report of the President Pro Tempore on administration of the oath of office by Chief Justice Randall T. Shepard on December 21, 2005.

GARTON

**CERTIFICATION  
APPOINTMENT TO A VACANT  
STATE LEGISLATIVE OFFICE**

TO THE HONORABLE ROBERT GARTON  
PRESIDENT PRO TEMPORE OF THE INDIANA SENATE

WHEREAS, A vacancy occurred in the office of Indiana State Senator, District 29, on November 14, 2005, due to the resignation of the Honorable Murray Clark, who was elected to office as a candidate of the Indiana Republican Party;

WHEREAS, The duly elected and acting state chairman of the Indiana Republican Party set the place, date and time of a caucus comprised of the eligible precinct committeemen from Indiana Senate District 29 and sent a notice by first class mail to all precinct committeemen in the caucus at least ten (10) days before the date of the meeting, setting forth the purpose, place, date and time of the meeting;

WHEREAS, The duly appointed designee of the state chairman presided over the aforesaid caucus, which was conducted on December 8, 2005, this date being not later than thirty (30) days after the vacancy occurred;

WHEREAS, The caucus, voting by secret ballot, and a majority vote of those casting a vote for the candidate, selected an individual who resides within Indiana Senate District 29 to fill this vacancy;

WHEREAS, The individual selected to fill the aforesaid vacancy had filed a declaration of candidacy with the chairman of the caucus, and had previously filed a statement of economic interests under Indiana Code 2-2.1-3-2 with the Principal Secretary of the Senate, at least seventy-two (72) hours before the time fixed for the caucus, all as required by Indiana Code 3-13-5-3;

WHEREAS, Under Indiana Code 3-13-5-6, the state chairman is required to certify the name of the individual selected under Indiana Code 3-13-5-1 to fill this vacancy to President Pro Tempore of the Indiana Senate; and

WHEREAS, Under Indiana Code 3-13-5-6, the President Pro Tempore of the Senate is required to acknowledge receipt of this certification, submit a copy of the certificate to be included in the Journal of the Indiana Senate on the day when the individual is seated, (or if this certificate is received after the adjournment sine die of the General Assembly, on the first day that the Indiana State Senate is in session following receipt of this certificate), and immediately forward the certificate to the Secretary of State of Indiana;

NOW, THEREFORE, AS THE DULY ELECTED AND ACTING  
CHAIRMAN OF THE INDIANA REPUBLICAN STATE  
COMMITTEE,

(1) I certify that Mike Delph was selected by the aforesaid caucus to fill the vacancy existing in the Office of the Indiana Senate, District 29.

(2) I request that the President Pro Tempore of the Senate acknowledge receipt of this certificate by his signature below as provided for by IC 3-13-5-6.

(3) I request that the President Pro Tempore include a copy of this Certificate in the Journal of the Indiana Senate as provided by Indiana Code 3-13-5-6.

(4) I request that this Certificate be immediately forwarded to the Secretary of State, as provided by Indiana Code 3-13-5-6.

CERTIFIED, THIS THE 12th DAY OF DECEMBER, 2005.  
Jim Kittle, Jr.

**ACKNOWLEDGMENT OF RECEIPT  
BY THE PRESIDENT PRO TEMPORE  
OF THE INDIANA SENATE**

I hereby acknowledge receipt of this Certificate by my signature below this 12th day of December, 2005.

Robert D. Garton  
President Pro Tempore of the Indiana Senate

December 12, 2005

The Honorable Todd Rokita  
Indiana Secretary of State  
201 State House  
Indianapolis, Indiana 46204

Dear Todd:

This is to officially notify you that this office has received from the Chair of the Indiana Republican State Committee, a copy of the certification of the election of Mike Delph to represent State Senate District 29, filling the vacancy created by the resignation of Senator Murray Clark. Senator Delph was duly elected on December 8, 2005, in a caucus of precinct committee persons in District 29.

Best regards,

Robert D. Garton  
President Pro Tempore  
RDG/gp  
Enclosure: Certification

**CERTIFICATE OF SELECTION  
TO STATE LEGISLATIVE OFFICE**

TO THE HONORABLE ROBERT D. GARTON  
PRESIDENT PRO TEMPORE OF THE INDIANA SENATE

WHEREAS, A vacancy occurred in the office of Indiana State Senator, District 29, on November 14, 2005, due to the resignation of the Honorable Murray Clark, who was elected to office as a candidate of the Indiana Republican Party;

WHEREAS, On December 8, 2005, a caucus composed of Republican Party precinct committeemen from Indiana Senate District 29 selected Mike Delph to fill the vacancy in Senate District 29;

WHEREAS, On December 12, 2005, the State Chairman of the Indiana Republican Party certified the selection of Mike Delph to fill the vacancy in Senate District 29 to the President Pro Tempore of the Indiana State Senate and the President Pro Tempore acknowledged receipt of the certification thereon;

WHEREAS, On December 12, 2005, the President Pro Tempore of the Indiana Senate forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office;

NOW, THEREFORE, AS THE DULY ELECTED AND ACTING SECRETARY OF THE STATE OF INDIANA, I certify that the Honorable Mike Delph has been selected to fill the vacancy existing in the office of the Indiana State Senator, District 29.

Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 19th day of December, 2005, being the 230th year of the Independence of the United States, and the 190th year of the Statehood of Indiana.

Todd Rokita  
Secretary of the State of Indiana

December 20, 2005

The Honorable Todd Rokita  
Indiana Secretary of State  
201 State House  
Indianapolis, Indiana 46204

Dear Todd:

This is to acknowledge receipt of your Certificate of Selection to the State Legislative Office of Mike Delph to fill the vacancy created by the resignation of Senator Murray Clark. Senator Delph was duly elected on December 8, 2005, in a caucus of precinct committee persons to represent State Senate District 29.

Best regards,

Robert D. Garton  
President Pro Tempore  
RDG/gp

### **REPORT OF THE PRESIDENT PRO TEMPORE**

Madam President: I hereby report that on December 21, 2005, Senator Mike Delph was sworn-in to office to represent District 29, Chief Justice Randall T. Shepard administered the oath of office in the Senate Chamber.

GARTON

### **REPORT OF THE PRESIDENT PRO TEMPORE**

Madam President: I hereby report that in a letter dated November 21, 2005, Senator Rose Ann Antich-Carr resigned her seat at the Indiana State Senate effective at midnight on November 25, 2005.

Pursuant to the provisions of IC 3-13-5-6 and IC 3-13-5-7, the attached documents are submitted for inclusion in the Journal of the Senate:

1. President Pro Tempore's Notification to the Indiana Democratic Party State Chairman of Senator Antich-Carr's resignation.
2. Indiana Democratic Party State Chairman's Certification of Selection of Karen Tallian to fill the vacancy in the office of the Indiana Senate, District 4.
3. President Pro Tempore's Notice to the Indiana Secretary of State of the Indiana Democratic Party State Chairman's Certification of Selection of Karen Tallian.
4. Indiana Secretary of State's Certificate of Selection to State Legislative Office certifying the selection of Karen Tallian to fill the vacancy in the office of the Indiana Senate, District 4.
5. President Pro Tempore's acknowledgment of receipt of the Certificate of Selection from the Indiana Secretary of State.
6. Report of the President Pro Tempore on administration of the oath of office by Chief Justice Randall T. Shepard on December 12, 2005.
7. Indiana Democratic Party State Chairman's Amended Certification of Selection of Karen Tallian to fill the vacancy in the office of the Indiana Senate, District 4, correcting the date the caucus was held and the date the appointment of Karen Tallian became effective.
8. Indiana Secretary of State's Amended Certificate of Selection to State Legislative Office reflecting the above changes in the Indiana Democratic Party State Chairman's Amended Certification of Selection.

GARTON

November 22, 2005

Mr. Daniel Parker  
Democrat State Chairman  
Indiana Democratic State Committee  
One North Capitol, Suite 200  
Indianapolis, Indiana 46204

Dear Mr. Chairman:  
Pursuant to IC 5-8-3.5-1 (b), I hereby officially notify you of Senator Rose Ann Antich-Carr's resignation from the Indiana State Senate effective at midnight, November 25, 2005. A copy of her letter is enclosed.

Best regards,  
Robert D. Garton  
President Pro Tempore  
RDG/gp  
Enclosure

**CERTIFICATE OF APPOINTMENT TO FILL A VACANCY IN A  
STATE SENATE OFFICE  
BY A PRECINCT COMMITTEEMAN CAUCUS  
(IC 3-13-5-6)  
TO THE PRESIDENT PRO TEMPORE OF THE INDIANA STATE  
SENATE**

This is to certify the following:

- (1) A vacancy occurred in the office of State Senate, District 4.
- (2) The vacancy occurred due to the resignation of Rose Ann Antich.
- (3) The incumbent was elected or appointed as a candidate of the Democratic Party.
- (4) I am the state chairman, or person designated by the state chairman to conduct the caucus of the Democratic Party.
- (5) A caucus of eligible precinct committeemen was held on December 12, 2005, to fill the vacancy in this office. The caucus was held following the giving of notice required under Indiana Code 3-13-5-2.
- (6) The members of the caucus selected, by majority vote of those casting a vote for a candidate, the person named below to hold an appointment to this office for the remaining unexpired term.
- (7) The person holding the appointment to this office is a registered voter of a precinct within the election district for the office, complies with the other requirements imposed under Indiana law for this office, and consents to this appointment by the declaration of candidacy, which was timely filed in accordance with Indiana Code 3-13-5-3, and is incorporated by reference in this certificate.
- (8) This appointment is effective December 12th, 2005.
- (9) Name of Person Appointed to Office: Karen Tallian, 35 Aspen Road, Ogden Dunes, Indiana 46368.

I, the State Chairman, or person designated by state chairman to conduct this caucus, of the Democratic Party, certify that the information in this Certificate is true and complete.

Leon West  
County Chairman  
December 12, 2005

State of Indiana County of Porter  
Subscribed and sworn to before me this 10th day of December, 2005.

Helen L. Dame  
Notary Public  
My Commission expires November 3, 2006, County of Residence:  
Porter

December 12, 2005

The Honorable Todd Rokita  
Indiana Secretary of State  
201 State House  
Indianapolis, Indiana 46204

Dear Todd:

This is to officially notify you that this office has received from the

Chair of the Indiana Democratic State Committee, a copy of the certification of the election of Karen Tallian to represent State Senate District 4, filling the vacancy created by the resignation of Senator Rose Antich-Carr. Senator Tallian was duly elected on December 10, 2005, in a caucus of precinct committee persons in District 4.

Best regards,

Robert D. Garton  
President Pro Tempore  
RDG/gp  
Enclosure: Certification

**CERTIFICATE OF SELECTION  
TO STATE LEGISLATIVE OFFICE**

**TO THE HONORABLE ROBERT D. GARTON  
PRESIDENT PRO TEMPORE OF THE INDIANA SENATE**

WHEREAS, A vacancy occurred in the office of Indiana State Senator, District 4, due to the resignation of the Honorable Rose Ann Antich, who was elected to office as a candidate of the Indiana Democratic Party;

WHEREAS, On December 12, 2005, a caucus composed of Democratic Party precinct committeemen from Indiana Senate District 4 selected Karen Tallian to fill the vacancy in Senate District 4;

WHEREAS, On December 12, 2005, the State Chairman of the Indiana Democratic Party certified the selection of Karen Tallian to fill the vacancy in Senate District 4 to the President Pro Tempore of the Indiana State Senate and the President Pro Tempore acknowledged receipt of the certification thereon;

WHEREAS, On December 12, 2005, the President Pro Tempore of the Indiana Senate forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office;

NOW, THEREFORE, AS THE DULY ELECTED AND ACTING SECRETARY OF THE STATE OF INDIANA, I certify that the Honorable Karen Tallian has been selected to fill the vacancy existing in the office of the Indiana State Senator, District 4.

Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 19th day of December, 2005, being the 230th year of the Independence of the United States, and the 191st year of the Statehood of Indiana.

Todd Rokita  
Secretary of the State of Indiana

December 20, 2005

The Honorable Todd Rokita  
Indiana Secretary of State  
201 State House  
Indianapolis, Indiana 46204

Dear Todd:

This is to acknowledge receipt of your Certificate of Selection to the State Legislative Office of Karen Tallian to fill the vacancy created by the resignation of Senator Rose Ann Antich. Senator Tallian was duly elected on December 10, 2005, in a caucus of precinct committee persons to represent State Senate District 4.

Best regards,

Robert D. Garton  
President Pro Tempore  
RDG/gp

### **REPORT OF THE PRESIDENT PRO TEMPORE**

Madam President: I hereby report that on December 12, 2005, Senator Karen Tallian was sworn-in to office to represent District 4. Chief Justice Randall T. Shepard administered the oath of office in the Senate Chamber.

GARTON

### **CERTIFICATE OF APPOINTMENT TO FILL A VACANCY IN A STATE SENATE OFFICE BY A PRECINCT COMMITTEEMAN CAUCUS (IC 3-13-5-6)**

#### **TO THE PRESIDENT PRO TEMPORE OF THE INDIANA STATE SENATE**

This is to certify the following:

- (1) A vacancy occurred in the office of State Senate, District 4.
- (2) The vacancy occurred due to the resignation of Rose Ann Antich.
- (3) The incumbent was elected or appointed as a candidate of the Democratic Party.
- (4) I am the state chairman, or person designated by the state chairman to conduct the caucus of the Democratic Party.
- (5) A caucus of eligible precinct committeemen was held on December 10, 2005, to fill the vacancy in this office. The caucus was held following the giving of notice required under Indiana Code 3-13-5-2.
- (6) The members of the caucus selected, by majority vote of those casting a vote for a candidate, the person named below to hold an appointment to this office for the remaining unexpired term.
- (7) The person holding the appointment to this office is a registered voter of a precinct within the election district for the office, complies with the other requirements imposed under Indiana law for this office, and consents to this appointment by the declaration of candidacy, which was timely filed in accordance with Indiana Code 3-13-5-3, and is incorporated by reference in this certificate.

(8) This appointment is effective December 10, 2005.

(9) Name of Person Appointed to Office: Karen Tallian, 35 Aspen Road, Ogden Dunes, Indiana 46368.

I, the State Chairman, or person designated by state chairman to conduct this caucus, of the Democratic Party, certify that the information in this Certificate is true and complete.

Leon West  
County Chairman  
December 10, 2005

State of Indiana County of Porter  
Subscribed and sworn to before me this 10th day of December, 2005.

Douglas W. Olson  
Mayor, City of Portage

### **CERTIFICATE OF SELECTION TO STATE LEGISLATIVE OFFICE TO THE HONORABLE ROBERT D. GARTON PRESIDENT PRO TEMPORE OF THE INDIANA SENATE**

WHEREAS, A vacancy occurred in the office of Indiana State Senator, District 4, due to the resignation of the Honorable Rose Ann Antich, who was elected to office as a candidate of the Indiana Democratic Party;

WHEREAS, On December 10 2005, a caucus composed of Democratic Party precinct committeemen from Indiana Senate District 4 selected Karen Tallian to fill the vacancy in Senate District 4;

WHEREAS, On December 12, 2005, the State Chairman of the Indiana Democratic Party certified the selection of Karen Tallian to fill the vacancy in Senate District 4 to the President Pro Tempore of the Indiana State Senate and the President Pro Tempore acknowledged receipt of the certification thereon;

WHEREAS, On December 12, 2005, the President Pro Tempore of the Indiana Senate forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office;

NOW, THEREFORE, AS THE DULY ELECTED AND ACTING SECRETARY OF THE STATE OF INDIANA, I certify that the Honorable Karen Tallian has been selected to fill the vacancy existing in the office of the Indiana State Senator, District 4.

Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 9th day of January, 2006, being the 230th year of the Independence of the United States, and the

191st year of the Statehood of Indiana.

Todd Rokita  
Secretary of the State of Indiana

**PRESIDENT PRO TEMPORE REPORT OF  
AMENDED COMMITTEE, SUBCOMMITTEE  
AND CHAIRPERSON APPOINTMENTS**

Madam President: Due to the resignation of Senator Greg Server on September 19, 2005, Senator J. Murray Clark on November 14, 2005, and Senator Rose Antich-Carr on November 25, 2005, President Pro Tempore Robert D. Garton hereby announces and reports the following amended committee, subcommittee and chairperson appointments, pursuant to Rule 30(c) of the Standing Rules and Orders of the Senate of the 114th General Assembly.

**Agriculture & Small Business**

Senator Nugent, Chair	Senator R. Young, RMM
Senator Jackman, RM	Senator Hume
Senator Heinold	Senator Lewis
Senator Mishler	Senator Mrvan
Senator Paul	
Senator Waterman	
Senator Weatherwax	

**Appointments & Claims**

Senator Merritt, Chair	Senator Rogers, RMM
Senator Landske RM	Senator Lewis
Senator Bray	Senator Smith
Senator Harrison	
Senator Wyss	

**Appropriations**

Senator Meeks, Chair	Senator Simpson, RMM
Senator Wyss, RM	Senator Breaux
Senator Hershman	Senator Craycraft
Senator Jackman	Senator Hume
Senator Kenley	
Senator Miller	
Senator Server	
Senator Zakas	

**Commerce & Transportation**

Senator Landske, Chair	Senator Howard, RMM
Senator Nugent, RM	Senator Craycraft
Senator Becker	Senator Lanane
Senator Heinold	Senator Tallian
Senator Jackman	
Senator Merritt	
Senator Weatherwax	

**Corrections, Criminal, & Civil Matters**

Senator Long, Chair	Senator Broden, RMM
Senator M. Young, RM	

Civil Matters Subcommittee

Senator Steele, Chair	Senator Broden
Senator Long	Senator Howard
Senator M. Young	

Corrections & Criminal Subcommittee

Senator Zakas, Chair	Senator Bowser
Senator Bray	Senator Lanane
Senator Waltz	
Senator Waterman	

**Economic Development & Technology**

Senator Ford, Chair	Senator Mrvan, RMM
Senator Kruse, RM	

Economic Development Subcommittee

Senator Alting, Chair	Senator Mrvan
Senator Delph	Senator Sipes
Senator Kruse	
Senator Lubbers	

Technology Subcommittee

Senator Harrison, Chair	Senator Howard
Senator Ford	Senator Simpson
Senator Waltz	

**Education & Career Development**

Senator Lubbers, Chair	Senator Sipes, RMM
Senator Alting, RM	Senator Breaux
Senator Drozda	Senator Rogers
Senator Ford	Senator Skinner
Senator Kenley	
Senator Miller	
Senator Waltz	

**Elections & Civic Affairs**

Senator Lawson, Chair	Senator Lutz, RMM
Senator Landske, RM	

Elections Subcommittee

Senator M. Young, Chair	Senator Lutz
Senator Kruse	Senator Breaux
Senator Landske	
Senator Lawson	

Civic Affairs Subcommittee

Senator Merritt, Chair	Senator Bowser
Senator Heinold	Senator Smith
Senator Steele	

**Energy & Environmental Affairs**

Senator Gard, Chair	Senator Tallian RMM
Senator Riegsecker RM	Senator Broden
Senator Bray	Senator Hume
Senator Drozda	Senator Lanane
Senator Miller	
Senator Mishler	
Senator Waterman	

**Ethics**

Senator Zakas, Chair	Senator Craycraft, RMM
Senator Bray, RM	Senator Bowser
Senator Long	Senator Hume

**Governmental Affairs & Interstate Cooperation**

Senator Riegsecker, Chair      Senator Rogers, RMM  
 Senator Hershman, RM

Governmental Affairs Subcommittee

Senator M. Young, Chair      Senator Broden  
 Senator Delph      Senator Lutz  
 Senator Wyss

Interstate Cooperation Subcommittee

Senator Kruse, Chair      Senator Rogers  
 Senator Gard      Senator Smith  
 Senator Riegsecker

**Health & Provider Services**

Senator Miller, Chair      Senator Breaux, RMM  
 Senator Dillon, RM

Public Health Subcommittee

Senator Gard, Chair      Senator Breaux  
 Senator Dillon      Senator Sipes  
 Senator Riegsecker

Provider Services Subcommittee

Senator Lawson, Chair      Senator Simpson  
 Senator Becker      Senator Skinner  
 Senator Miller  
 Senator Mishler

**Homeland Security, Utilities, & Public Policy**

Senator Wyss, Chair      Senator Craycraft, RMM  
 Senator Merritt, RM

Regulatory Affairs Subcommittee

Senator Hershman, Chair      Senator Rogers  
 Senator Gard      Senator Sipes  
 Senator Wyss

Public Safety Subcommittee

Senator Heinold, Chair      Senator Craycraft  
 Senator Becker      Senator Lutz  
 Senator Delph  
 Senator Merritt

**Insurance & Financial Institutions**

Senator Paul, Chair      Senator Lewis, RMM  
 Senator Steele, RM

Insurance Subcommittee

Senator Long, Chair      Senator Howard  
 Senator Delph      Senator Tallian  
 Senator Lubbers  
 Senator Paul

Financial Institutions Subcommittee

Senator Nugent, Chair      Senator Lewis  
 Senator Steele      Senator Mrvan  
 Senator Waltz

**Judiciary**

Senator Bray, Chair      Senator Lanane, RMM  
 Senator Zakas, RM

Courts & Juvenile Justice Subcommittee

Senator Drozda, Chair      Senator Bowser  
 Senator Ford      Senator Lanane  
 Senator Lubbers

Probate Code & Trusts Subcommittee

Senator Zakas, Chair      Senator Broden  
 Senator Bray      Senator Smith  
 Senator Long  
 Senator Steele

**Natural Resources**

Senator Weatherwax, Chair      Senator Skinner, RMM  
 Senator Waterman, RM      Senator Craycraft  
 Senator Dillon      Senator Lewis  
 Senator Jackman      Senator R. Young  
 Senator Meeks  
 Senator Nugent  
 Senator Paul

**Pensions & Labor**

Senator Harrison, Chair      Senator Bowser, RMM  
 Senator M. Young, RM      Senator Lutz  
 Senator Becker      Senator Smith  
 Senator Dillon      Senator Tallian  
 Senator Drozda  
 Senator Kruse  
 Senator Mishler

**Tax & Fiscal Policy**

Senator Kenley, Chair      Senator Hume, RMM  
 Senator Weatherwax, RM      Senator Mrvan  
 Senator Altting      Senator Simpson  
 Senator Dillon      Senator Skinner  
 Senator Ford  
 Senator Landske  
 Senator Lawson  
 Senator Meeks

**Rules and Legislative Procedure**

Senator Garton, Chair      Senator R. Young, RMM  
 Harrison, RM      Senator Hume  
 Senator Landske      Senator Lewis  
 Senator Long      Senator Rogers  
 Senator Paul  
 Senator Wyss  
 Senator Zakas

**Joint Rules**

Senator Garton (ex officio)      Senator R. Young  
 Senator Long, Chair      Senator Lewis  
 Senator Harrison

## INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

**SB 2** — Drozda (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 3** — Drozda (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**SB 4** — Drozda (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 5** — Steele (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 6** — Steele (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 7** — Steele (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**SB 8** — Steele (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 9** — Steele (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

**SB 10** — Steele (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**SB 11** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning education. (Vehicle Bill)

**SB 12** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation. (Vehicle Bill)

**SB 13** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers. (Vehicle Bill)

**SB 14** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure. (Vehicle Bill)

**SB 15** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning health. (Vehicle Bill)

**SB 16** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources. (Vehicle Bill)

**SB 17** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law. (Vehicle Bill)

**SB 18** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning human services. (Vehicle Bill)

**SB 19** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law. (Vehicle Bill)

**SB 20** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety. (Vehicle Bill)

**SB 21** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles. (Vehicle Bill)

**SB 22** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation. (Vehicle Bill)

**SB 23** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation. (Vehicle Bill)

**SB 24** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration. (Vehicle Bill)

**SB 25** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning elections. (Vehicle Bill)

**SB 26** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning elections. (Vehicle Bill)

**SB 27** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly. (Vehicle Bill)

**SB 28** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly. (Vehicle Bill)

**SB 29** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety. (Vehicle Bill)

**SB 30** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration. (Vehicle Bill)

**SB 31** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration. (Vehicle Bill)



**SB 32** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration. (Vehicle Bill)

**SB 33** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning probate. (Vehicle Bill)

**SB 34** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance. (Vehicle Bill)

**SB 35** — Garton (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning local government. (Vehicle Bill)

**SB 36** — Lawson (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**SB 37** — Lawson, Breaux, Landske, Craycraft (Elections and Civic Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 38** — Kenley (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 39** — Ford (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**SB 40** — Ford, Breaux, Steele, Bowser (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**SB 41** — Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**SB 42** — Miller (Health and Provider Services)

A BILL FOR AN ACT concerning human services.

**SB 43** — Drozda (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

**SB 44** — Drozda (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 45** — Drozda (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 46** — Waltz (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 47** — Hershman (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning

public safety.

**SB 48** — Bowser (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 49** — Bowser (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 50** — Landske (Appropriations)

A BILL FOR AN ACT concerning state offices and administration and to make an appropriation.

**SB 51** — Nugent (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**SB 52** — Nugent (Agriculture and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

**SB 53** — Nugent (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**SB 54** — Nugent (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 55** — Harrison (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**SB 56** — Harrison (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**SB 57** — Harrison (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**SB 58** — Harrison (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**SB 59** — Harrison (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**SB 60** — Kenley (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 61** — Craycraft (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 62** — Craycraft (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

**SB 63** — Craycraft (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety and to make an appropriation.

**SB 64** — Craycraft (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 65** — Lubbers (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 66** — Bowser (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 67** — Lanane (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 68** — Lanane (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**SB 69** — Weatherwax (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**SB 70** — Paul (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**SB 71** — Ford, Gard, Heinold (Agriculture and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 72** — Long (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**SB 73** — Long, Lanane (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**SB 74** — Long (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**SB 75** — Long (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

**SB 76** — Long (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**SB 77** — Heinold (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**SB 78** — Heinold (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning

taxation.

**SB 79** — Heinold (Rules and Legislative Procedure)

A BILL FOR AN ACT concerning general provisions.

**SB 80** — Meeks (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 81** — Meeks (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 82** — Lubbers (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 83** — Lubbers (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 84** — Long, Bray (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**SB 85** — M. Young (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**SJR 2** — Lawson (Elections and Civic Affairs)

A JOINT RESOLUTION proposing an amendment to Article 2 of the Constitution of the State of Indiana concerning elections.

**SJR 3** — Garton (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution)

**SJR 4** — Garton (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution)

**SJR 5** — Garton (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution)

**SJR 6** — Garton (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution)

**SJR 7** — Garton (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution)

**SJR 8** — Garton (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution)

**SJR 9** — Garton (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution)

**SB 86** — Jackman (Agriculture and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

**SB 87** — Jackman (Energy and Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**SB 88** — Wyss (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 89** — Gard (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**SB 90** — Hershman (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 91** — Hershman (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**SB 92** — Paul (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 93** — Paul (Rules and Legislative Procedure)

A BILL FOR AN ACT concerning elections.

**SB 94** — Meeks (Natural Resources)

A BILL FOR AN ACT concerning natural and cultural resources.

**SB 95** — Meeks (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 96** — Lanane (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 97** — Kenley (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

**SB 98** — Kenley (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 99** — Jackman, Nugent (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**SB 100** — Jackman (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

**SB 101** — Becker (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 102** — Becker (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

**SB 103** — Becker (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**SB 104** — Rogers (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 105** — Rogers, Steele, Dillon, Craycraft, Sipes (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 106** — M. Young (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 107** — M. Young (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 108** — M. Young (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 109** — Steele (Energy and Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**SB 110** — Steele (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

**SB 111** — Becker (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 112** — Riegsecker (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**SB 113** — Lanane (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**SB 114** — Zakas (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

**SB 115** — Zakas (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

**SB 116** — Zakas (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

**SB 117 — Gard (Tax and Fiscal Policy)**

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 118 — Gard (Tax and Fiscal Policy)**

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 119 — Lubbers (Elections and Civic Affairs)**

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 120 — Waterman (Rules and Legislative Procedure)**

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 121 — Waterman (Judiciary)**

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**SB 122 — Waterman (Corrections, Criminal, and Civil Matters)**

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

**SB 123 — Waterman (Rules and Legislative Procedure)**

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

**SB 124 — Gard (Health and Provider Services)**

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**SB 125 — Dillon (Health and Provider Services)**

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 126 — Dillon (Corrections, Criminal, and Civil Matters)**

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**SB 127 — Lawson (Elections and Civic Affairs)**

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 128 — Lawson (Elections and Civic Affairs)**

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 129 — Alting (Health and Provider Services)**

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 130 — Alting, Miller (Health and Provider Services)**

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**SB 131 — Craycraft (Pensions and Labor)**

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 132 — Lawson (Health and Provider Services)**

A BILL FOR AN ACT to amend the Indiana Code concerning

family law and juvenile law and to make an appropriation.

**SB 133 — Kruse (Commerce & Transportation)**

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 134 — Kruse (Corrections, Criminal, and Civil Matters)**

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 135 — Kruse (Corrections, Criminal, and Civil Matters)**

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**SB 136 — Kruse (Judiciary)**

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**SB 137 — Kruse (Commerce & Transportation)**

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 138 — Waterman (Elections and Civic Affairs)**

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 139 — Lawson (Judiciary)**

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**SB 140 — Lawson (Health and Provider Services)**

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

## RESOLUTIONS ON FIRST READING

**Senate Concurrent Resolution 7**

Senate Concurrent Resolution 7, introduced by Senator Heinold:

A CONCURRENT RESOLUTION promoting the use of the "A Child is Missing" program.

*Whereas, A Child is Missing ("ACIM") was founded in 1996 as a nonprofit organization headquartered in Fort Lauderdale, Florida;*

*Whereas, ACIM is devoted to assisting law enforcement in search and early recovery efforts during the critical initial hours following the disappearance of a child or an elderly or disabled person with a rapid-response neighborhood notification program;*

*Whereas, ACIM's services, which can be initiated only by law enforcement officials, are currently available in 13 different states, including Indiana;*

*Whereas, ACIM uses high-tech telephony to make 1,000 calls in 60 seconds, allowing ACIM to rapidly reach thousands of people in the area surrounding a disappearance;*

*Whereas, At least 83 individuals have been recovered using the services of ACIM, at least four of whom were located in Indiana; and*

*Whereas, ACIM is a beneficial resource and the Indiana General Assembly seeks to promote awareness of this service and encourage all Indiana law enforcement officials to use the program: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. The Indiana General Assembly encourages all law enforcement officials throughout Indiana to use the "A Child is Missing" program to assist in locating a child or an elderly or disabled person who has disappeared.

SECTION 2. The Secretary of the Senate is directed to transmit copies of this resolution to the Indiana Sheriff's Association, the Indiana Association of Cities and Towns, and the Indiana Fraternal Order of Police.

The resolution was read in full and referred to the Committee on Corrections, Criminal, and Civil Matters.

#### **Senate Concurrent Resolution 8**

Senate Concurrent Resolution 8, introduced by Senator Wyss:

A CONCURRENT RESOLUTION urging the legislative council to assign to a committee for further study the topic of establishing a commercial vehicle court with exclusive jurisdiction over commercial motor vehicle (CMV) and commercial driver's license (CDL) cases.

*Whereas, Court cases involving commercial motor vehicles and commercial driver's licenses are technical and complicated cases that place an undue burden on local trial courts in Indiana; and*

*Whereas, The creation of a new commercial vehicle court with exclusive jurisdiction over CMV and CDL cases would reduce local trial court caseloads, assure uniform compliance and enforcement of CMV and CDL laws, enhance Homeland Security programs, and simplify reporting and enforcement programs administered by the Bureau of Motor Vehicles: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the legislative council is urged to assign to a committee for further study the topic of establishing a commercial vehicle court with exclusive jurisdiction over commercial motor vehicle (CMV) and commercial driver's license (CDL) cases.

The resolution was read in full and referred to the Committee on Rules and Legislative Procedure.

#### **Senate Concurrent Resolution 9**

Senate Concurrent Resolution 9, introduced by Senator Riegsecker:

A CONCURRENT RESOLUTION naming the Family and Social Services Administration as lead agency to oversee and update the development of a comprehensive plan for services for individuals of all ages with autism.

*Whereas, Under IC 12-11-7-5, the Indiana Commission on Autism is directed to oversee and update the development of a comprehensive plan for services for individuals of all ages with autism;*

*Whereas, Currently no plan exists;*

*Whereas, There is a need for a single agency to take the lead in establishing a comprehensive plan for services for individuals with autism; and*

*Whereas, The Indiana Commission on Autism believes that the Family and Social Services Administration is best suited to develop a working relationship among the department of education, the division of mental health and addiction, the division of disability, aging, and rehabilitative services, and other appropriate agencies and interested parties necessary to establish this comprehensive plan: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly urges the Indiana Commission on Autism to name the Family and Social Services Administration as lead agency to oversee and update the development of a comprehensive plan for services for individuals of all ages with autism.

The resolution was read in full and referred to the Committee on Health and Provider Services.

#### **Senate Concurrent Resolution 10**

Senate Concurrent Resolution 10, introduced by Senator Riegsecker:

A CONCURRENT RESOLUTION urging the Legislative Council to assign to a study committee the topic of requiring the use of "people first" or respectful language when referring to people with disabilities in all Indiana laws.

*Whereas, People with disabilities make up our nation's largest minority group;*

*Whereas, This group is inclusive and diverse, representing both genders, all ages, religions, socioeconomic levels, and ethnicities;*

*Whereas, Old and inaccurate medical descriptors and the inappropriate use of these descriptors help to preserve negative stereotypes;*

*Whereas, When people are described by their medical diagnosis, they are devalued and disrespected as individuals;*

*Whereas, It is the state's responsibility to ensure that its laws do not perpetuate negative stereotypes or disrespect Hoosiers with disabilities; and*

*Whereas, In order to ensure that all people are treated respectfully, it is necessary to determine if Indiana's laws use respectful language when referring to people with disabilities: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Legislative Council is urged to assign to a study committee the topic of requiring the use of "people first" or respectful language when referring to people with disabilities in all Indiana laws.

SECTION 2. That the Commission on Mental Retardation and Developmental Disabilities endorses the adoption of this resolution.

The resolution was read in full and referred to the Committee on Rules and Legislative Procedure.

#### **Senate Concurrent Resolution 11**

Senate Concurrent Resolution 11, introduced by Senator Riegsecker:

A CONCURRENT RESOLUTION encouraging medical schools to require medical students, specifically pediatric and family majors, to complete a rotation in a clinic with a history of diagnosing and treating people with autism spectrum disorder.

*Whereas, As future physicians, medical students must be fully aware of the relationship between a patient's medical problems and autism spectrum disorder;*

*Whereas, An understanding of the relationship between medical problems and autism spectrum disorder is particularly important for medical students in the areas of pediatric and family medicine; and*

*Whereas, Medical students who complete a rotation in a clinic with a history of diagnosing and treating autism spectrum disorder can broaden their clinical approach and learn to make the best possible decisions under all conditions: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly and the Indiana Commission on Autism encourage medical students, specifically pediatric and family majors, to complete a rotation in a psychiatry clinic.

The resolution was read in full and referred to the Committee on Health and Provider Services.

#### **Senate Concurrent Resolution 12**

Senate Concurrent Resolution 12, introduced by Senator Riegsecker:

A CONCURRENT RESOLUTION directing the medical licensing board to include autism as a topic for continuing education credits.

*Whereas, Autism spectrum disorder is the fastest-growing developmental disability;*

*Whereas, Autism spectrum disorder affects each individual differently and at varying degrees, making early diagnosis and care extremely crucial;*

*Whereas, Understanding of autism spectrum disorder's etiology, diagnosis, and treatment has dramatically changed during the last decade; and*

*Whereas, It is vitally necessary that medical professionals have the most up to date information and strategies concerning autism spectrum disorder available to them in order to provide their patients with the best possible care: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly and the Indiana Commission on Autism direct the medical licensing board to include autism spectrum disorder as a required topic for continuing education credit.

The resolution was read in full and referred to the Committee on Health and Provider Services.

### **INTRODUCTION OF BILLS**

The following bills and resolutions were read a first time by title and referred to the respective committees:

**SB 1** — M. Young (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 141** — Lanane (Energy and Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**SB 142** — Lanane (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 143** — Dillon (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 144** — Zakas (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 145** — M. Young (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**SB 146** — Gard (Energy and Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**SB 147** — Gard (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**SB 148** — Riegsecker (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 149** — Riegsecker (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 150** — Riegsecker (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 151** — Lawson (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**SB 152** — Lawson (Elections and Civic Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 153** — Lawson (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**SB 154** — Heinold (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 155** — Heinold (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 156** — Lewis, Steele (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

**SB 157** — Lewis, Weatherwax (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**SB 158** — Simpson (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

**SB 159** — Simpson (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**SB 160** — Wyss (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

**SB 161** — Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 162** — Paul (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning

insurance.

**SB 163** — Paul (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**SB 164** — Paul (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 165** — Becker (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

**SB 166** — Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**SB 167** — Miller (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 168** — Miller (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**SB 169** — Miller (Health and Provider Services)

A BILL FOR AN ACT concerning health.

**SB 170** — Breaux (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 171** — Wyss (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 172** — Lubbers (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 173** — Lubbers (Education and Career Development)

A BILL FOR AN ACT concerning education.

**SB 174** — M. Young (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**SB 175** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning elections. (Vehicle Bill)

**SB 176** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration. (Vehicle Bill)

**SB 177** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles. (Vehicle Bill)

**SB 178** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning

human services. (Vehicle Bill)

**SB 179** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration. (Vehicle Bill)

**SB 180** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning local government. (Vehicle Bill)

**SB 181** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly. (Vehicle Bill)

**SB 182** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning education. (Vehicle Bill)

**SB 183** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation. (Vehicle Bill)

**SB 184** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation. (Vehicle Bill)

**SB 185** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law. (Vehicle Bill)

**SB 186** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure. (Vehicle Bill)

**SB 187** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers. (Vehicle Bill)

**SB 188** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety. (Vehicle Bill)

**SB 189** — R. Young (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning education finance. (Vehicle Bill)

**SB 190** — R. Young (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**SB 191** — Wyss (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

**SB 192** — Bray (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 193** — Bray, Hume (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 194** — Hume (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 195** — Mrvan (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

**SB 196** — Mrvan (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 197** — Mrvan (Tax and Fiscal Policy)

A BILL FOR AN ACT concerning taxation.

**SB 198** — Mrvan (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 199** — M. Young (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**SB 200** — Riegsecker (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 201** — Riegsecker (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**SB 202** — Riegsecker (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**SB 203** — Riegsecker (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**SB 204** — Drozda (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**SB 205** — Drozda (Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**SB 206** — Drozda (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**SB 207** — Dillon (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 208** — Dillon (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.



**SB 209** — Dillon (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 210** — Dillon (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 211** — Miller (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

**SB 212** — Broden (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**SB 213** — Broden (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

**SB 214** — Broden (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 215** — Broden (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**SB 216** — Broden (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**SB 217** — Broden (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 218** — Tallian (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

**SB 219** — Tallian (Energy and Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**SB 220** — Tallian (Energy and Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**SB 221** — Tallian (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**SB 222** — Tallian (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 223** — Tallian (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 224** — Lanane (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning

health and to make an appropriation.

**SB 225** — Lanane (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**SB 226** — Craycraft (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**SB 227** — Craycraft (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 228** — Craycraft (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans' affairs and to make an appropriation.

**SB 229** — Lubbers (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**SB 230** — Lubbers (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 231** — Alting (Education and Career Development)

A BILL FOR AN ACT concerning education finance.

**SB 232** — Gard (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**SB 233** — Gard (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 234** — Gard (Energy and Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**SB 235** — Gard (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

**SB 236** — Drozda (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 237** — Kruse (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 238** — Lutz (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 239** — Lutz (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

**SB 240** — Lutz (Corrections, Criminal, and Civil Matters)

- A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- SB 241** — Lutz (Governmental Affairs and Interstate Cooperation)  
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- SB 242** — Lutz (Elections and Civic Affairs)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.
- SB 243** — Lutz (Governmental Affairs and Interstate Cooperation)  
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- SB 244** — Hershman (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 245** — Hershman, Wyss, Hume, Rogers (Homeland Security, Utilities, and Public Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.
- SB 246** — Wyss, Broden, Long (Corrections, Criminal, and Civil Matters)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 247** — Wyss (Homeland Security, Utilities, and Public Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- SB 248** — Ford (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 249** — Ford (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety and to make an appropriation.
- SB 250** — Craycraft (Pensions and Labor)  
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.
- SJR 1** — M. Young (Judiciary)  
A JOINT RESOLUTION proposing an amendment to Article 7 of the Constitution of the State of Indiana concerning courts and court officers.
- SJR 10** — R. Young (Rules and Legislative Procedure)  
A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution)
- SJR 11** — R. Young (Rules and Legislative Procedure)  
A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Joint Vehicle Resolution)
- SJR 12** — R. Young (Rules and Legislative Procedure)  
A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution)
- SJR 13** — Hume, Bray (Tax and Fiscal Policy)  
A JOINT RESOLUTION proposing an amendment to Articles 8 and 10 of the Constitution of the State of Indiana concerning taxation.
- SB 251** — Weatherwax (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- SB 252** — Weatherwax, Merritt (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 253** — Weatherwax (Natural Resources)  
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.
- SB 254** — Becker (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning property.
- SB 256** — Landske, Mrvan (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 257** — Alting (Appropriations)  
A BILL FOR AN ACT concerning education finance and to make an appropriation.
- SB 258** — Kenley (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 259** — Kenley (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- SB 260** — Kenley (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 261** — Sipes (Corrections, Criminal, and Civil Matters)  
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.
- SB 262** — Sipes (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 263** — Waterman (Natural Resources)  
A BILL FOR AN ACT concerning natural and cultural resources.
- SB 264** — Weatherwax (Commerce & Transportation)  
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- SB 265** — Lubbers (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 266** — Miller (Health and Provider Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning

health.

**SB 267** — Miller (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 268** — Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**SB 269** — Miller (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 270** — Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**SB 271** — Breaux (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**SB 272** — Breaux (Elections and Civic Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 273** — Miller (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**SB 274** — Long (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 275** — Long, Lanane (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

**SB 276** — Rogers (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 277** — Rogers (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 278** — Rogers (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 279** — Zakas (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**SB 280** — Zakas (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**SB 281** — R. Young (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 282** — R. Young (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans' affairs.

**SB 283** — R. Young (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 284** — Wyss, Broden (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 285** — Wyss (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

**SB 286** — Simpson (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning commercial law.

**SB 287** — Simpson (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

**SB 288** — Simpson (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 289** — Simpson (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 290** — Simpson (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 291** — R. Young (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 292** — Howard (Elections and Civic Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 293** — Howard (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 294** — Howard (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 295** — Paul (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**SB 296** — Kenley (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**SB 297** — Hershman (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 298** — Long, Bray (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 299** — Long, Bray (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 300** — Long, Bray (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**SB 301** — Ford (Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 302** — Ford (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 303** — Kruse (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**SB 304** — Craycraft (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

**SB 305** — Rogers (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 306** — Sipes (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

**SB 307** — Simpson (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**SB 308** — Simpson (Health and Provider Services)

A BILL FOR AN ACT concerning Medicaid.

**SB 309** — Simpson, Breau, Sipes, Rogers, Skinner (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

**SB 310** — Alting (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

opinion with regard to the question raised by Senator Delph about his participation in upcoming votes on Senate Bill 245 due to a potential conflict of interest.

The Senate Committee on Ethics has considered the facts presented by Senator Delph and hereby recommends that Senator Delph be excused from participation in all votes pertaining to Senate Bill 245, both in committee and on the Senate floor, because of his potential conflict of interest with regard to the legislation. The vote of the Committee was 6-0.

ZAKAS, Chair

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 11, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 23-2-1-2 IS amended TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) The following securities are exempted from the registration requirements of section 3 of this chapter:

(1) A security (including a revenue obligation) issued or guaranteed by the United States, a state, a political subdivision of a state, or an agency or corporate or other instrumentality of one (1) or more of the foregoing or a certificate of deposit for any of the foregoing.

(2) A security issued or guaranteed by Canada, a Canadian province, a political subdivision of a Canadian province, an agency, or corporate or other instrumentality of one (1) or more of the foregoing, or any other foreign government with which the United States currently maintains diplomatic relations, if the security is recognized as a valid obligation by the issuer or guarantor.

(3) A security issued by and representing an interest in or a debt of, or guaranteed by a bank organized under the laws of the United States, a bank, savings institution, or trust company organized and supervised under the laws of a state, a federal savings association, a savings association organized under the laws of a state and authorized to do business in Indiana, a federal credit union or a credit union, industrial loan association, or similar association organized and supervised under the laws of this state, or a corporation or organization whose issuance of securities is required by any other law to be passed upon and authorized by the department of financial institutions or by a federal agency or authority.

(4) A security issued or guaranteed by a railroad or other common or contract carrier, a public utility, or a common or contract carrier or public utility holding company. However, an issuer or guarantor must be subject to regulation or supervision as to the issuance of its own securities by a public commission, board, or officer of the government of the United States, of a

## REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 94, the Senate Committee on Ethics met on January 9, 2006, to render an advisory

state, territory, or insular possession of the United States, of a municipality located in a state, territory, or insular possession, of the District of Columbia, or of the Dominion of Canada or a province of Canada.

(5) A security listed or approved for listing upon notice of issuance on the New York Stock Exchange, the American Stock Exchange, the Chicago Stock Exchange, or on any other exchange approved and designated by the commissioner, any other security of the same issuer that is of senior rank or substantially equal rank, a security called for by subscription rights or warrants so listed or approved, or a warrant or right to purchase or subscribe to any of the foregoing.

(6) A promissory note, draft, bill of exchange, or banker's acceptance that is evidence of:

(A) an obligation;

(B) a guarantee of an obligation;

(C) a renewal of an obligation; or

(D) a guarantee of a renewal of an obligation;

to pay cash within nine (9) months after the date of issuance, excluding grace days, that is issued in denominations of at least fifty thousand dollars (\$50,000) and receives a rating in one (1) of the three (3) highest rating categories from a nationally recognized statistical rating organization.

(7) A security issued in connection with an employee stock purchase, savings, pension, profit-sharing, or similar benefit plan.

(8) A security issued by an association incorporated under IC 15-7-1.

(9) A security that is an industrial development bond (as defined in Section 103(b)(2) of the Internal Revenue Code of 1954) the interest of which is excludable from gross income under Section 103(a)(1) of the Internal Revenue Code of 1954 if, by reason of the application of paragraph (4) or (6) of Section 103(b) of the Internal Revenue Code of 1954 (determined as if paragraphs (4)(A), (5), and (7) were not included in Section 103(b)), paragraph (1) of Section 103(b) does not apply to the security.

(10) A security issued by a nonprofit corporation that meets the requirements of Section 103(e) of the Internal Revenue Code of 1954 and is designated by the governor as the secondary market for guaranteed student loans under IC 20-12-21.2.

(11) A security designated or approved for designation upon notice of issuance on the National Association of Securities Dealers Automatic Quotation National Market System or any other national market system approved and designated by the commissioner, any other security of the same issuer that is of senior rank or substantially equal rank, a security called for by subscription rights or warrants so listed or approved, or a warrant or right to purchase or subscribe to any of the foregoing.

(12) A security that is a "qualified bond" (as defined in Section 141(e) of the Internal Revenue Code, as amended).

(b) The following transactions are exempted from the registration requirements of section 3 of this chapter:

(1) An isolated nonissuer offer or sale, whether effected through a broker-dealer or not.

(2) A nonissuer sale effected by or through a registered broker-dealer pursuant to an unsolicited order or offer to buy.

(3) A nonissuer offer or sale by a registered broker-dealer, acting either as principal or agent, of issued and outstanding securities if the following conditions are satisfied:

(A) The securities are sold at prices reasonably related to the current market price at the time of sale, and if the registered broker-dealer is acting as agent, the commission collected by the registered broker-dealer on account of the sale is not in excess of usual and customary commissions collected with respect to securities and transactions having comparable characteristics.

(B) The securities do not constitute an unsold allotment to or subscription by the broker-dealer as a participant in the distribution of the securities by the issuer or by or through an underwriter.

(C) Either:

(i) information consisting of the names of the issuer's officers and directors, a balance sheet of the issuer as of a date not more than eighteen (18) months prior to the date of the sale, and a profit and loss statement for either the fiscal year preceding that date or the most recent year of operations is published in a securities manual approved by the commissioner;

(ii) the issuer is required to file reports with the Securities and Exchange Commission pursuant to sections 13 and 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78m and 78o) and is not delinquent in the filing of the reports on the date of the sale; or

(iii) information consisting of the names of the issuer's officers and directors, a balance sheet of the issuer as of a date not more than sixteen (16) months prior to the date of the sale, and a profit and loss statement for either the fiscal year preceding that date or the most recent year of operations is on file with the commissioner. The information required by this item to be on file with the commissioner must be on a form and made in a manner as the commissioner prescribes. The fee for the initial filing of the form shall be twenty-five dollars (\$25). The fee for the annual renewal filing shall be fifteen dollars (\$15). When a filing is withdrawn or is not completed by the issuer, the commissioner must retain the filing fee.

(D) There has been compliance with section 6(l) of this chapter.

(E) Unless the issuer is registered under the Investment Company Act of 1940, all the following must be true at the time of the transaction:

(i) The security belongs to a class that has been in the hands of the public for at least ninety (90) days.

(ii) The issuer of the security is a going concern, is actually engaged in business, and is not in bankruptcy or receivership.

(iii) Except as permitted by order of the commissioner, the issuer and any predecessors have been in continuous operation for at least five (5) years. An issuer or predecessor is in continuous operation only if the issuer or predecessor has gross operating revenue in each of the five (5) years immediately preceding the issuer's or predecessor's claim of exemption and has had total gross

operating revenue of at least two million five hundred thousand dollars (\$2,500,000) for those five (5) years or has had gross operating revenue of at least five hundred thousand dollars (\$500,000) in not less than three (3) of those five (5) years.

The commissioner may revoke the exemption afforded by this subdivision with respect to any securities by issuing an order:

- (i) if the commissioner finds that the further sale of the securities in this state would work or tend to work a fraud on purchasers of the securities;
- (ii) if the commissioner finds that the financial condition of the issuer is such that it is in the public interest and is necessary for the protection of investors to revoke or restrict the exemption afforded by this subsection; or
- (iii) if the commissioner finds that, due to the limited number of shares in the hands of the public or due to the limited number of broker-dealers making a market in the securities, there is not a sufficient market for the securities so that there is not a current market price for the securities.

(4) A transaction between the issuer or other person on whose behalf the offering is made by an underwriter, or among underwriters.

(5) A transaction in a bond or other evidence of indebtedness secured by a real or chattel mortgage or deed of trust, or by agreement for the sale of real estate or chattels, if the entire mortgage, deed of trust, or agreement, together with all the bonds or other evidences of indebtedness, is offered and sold as a unit.

(6) A transaction by an executor, administrator, personal representative, sheriff, marshal, receiver, trustee in bankruptcy, guardian, conservator, or a person acting in a trust or fiduciary capacity where the transaction is effected pursuant to the authority of or subject to approval by a court of competent jurisdiction.

(7) A transaction executed by a bona fide pledgee without any purpose of evading this chapter.

(8) An offer or sale to a bank, a savings institution, a trust company, an insurance company, an investment company (as defined in the Investment Company Act of 1940 (15 U.S.C. 80a-1 through 80a-52)), a pension or profit-sharing trust, or other financial institution or institutional buyer, or to a broker-dealer, whether the purchaser is acting for itself or in a fiduciary capacity.

(9) The offer or sale of securities of an issuer:

(i) to a person who is:

- (A) a director, an executive officer, a general partner, an administrator, or a person who performs similar functions for or who is similarly situated with respect to the issuer;
- (B) a director, an executive officer, or a general partner of a general partner of the issuer; or
- (C) any other natural person employed on a full-time basis by the issuer as an attorney or accountant if the person has been acting in this capacity for at least one (1) year immediately prior to the offer or sale;

(ii) to an entity affiliated with the issuer;

(iii) if the issuer is a corporation, to a person who is the

owner of shares of the corporation or of an affiliated corporation representing and possessing ten percent (10%) or more of the total combined voting power of all classes of stock (of the corporation or affiliated corporation) issued and outstanding and who is entitled to vote; or

(iv) if the issuer is a limited liability company, to a person who is the owner of an interest in the limited liability company representing and possessing at least ten percent (10%) of the total combined voting power of all classes of such interests (of the limited liability company or affiliated limited liability company) issued and outstanding.

(10) The offer or sale of a security by the issuer of the security if all of the following conditions are satisfied:

(A) The issuer reasonably believes that either:

- (i) there are no more than thirty-five (35) purchasers of the securities from the issuer in an offering pursuant to this subsection, including purchasers outside Indiana; or
- (ii) there are no more than twenty (20) purchasers in Indiana.

In either case, there shall be excluded in determining the number of purchasers a purchaser whom the issuer reasonably believes to be an accredited investor or who purchases the securities after they are registered under this chapter.

(B) The issuer does not offer or sell the securities by means of a form of general advertisement or general solicitation.

(C) The issuer reasonably believes that each purchaser of the securities is acquiring the securities for the purchaser's own investment and is aware of any restrictions imposed on transferability and resale of the securities. The basis for reasonable belief may include:

- (i) obtaining a written representation signed by the purchaser that the purchaser is acquiring the securities for the purchaser's own investment and is aware of any restrictions imposed on the transferability and resale of the securities; and
- (ii) placement of a legend on the certificate or other document that evidences the securities stating that the securities have not been registered under section 3 of this chapter, and setting forth or referring to the restrictions on transferability and sale of the securities.

(D) The issuer:

- (i) files with the commissioner and provides to each purchaser in this state an offering statement that sets forth all material facts with respect to the securities; and
- (ii) reasonably believes immediately before making a sale that each purchaser who is not an accredited investor either alone or with a purchaser representative has knowledge and experience in financial and business matters to the extent that the purchaser is capable of evaluating the merits and risks of the prospective investment.

(E) If the aggregate offering price of the securities in an offering pursuant to this subdivision (including securities sold outside of Indiana) does not exceed five hundred thousand dollars (\$500,000), the issuer is not required to comply with clause (D) if the issuer files with the

commissioner and provides to each purchaser in Indiana the following information and materials:

- (i) copies of all written materials, if any, concerning the securities that have been provided by the issuer to any purchaser; and
- (ii) unless clearly presented in all written materials, a written notification setting forth the name, address, and form of organization of the issuer and any affiliate, the nature of the principal businesses of the issuer and any affiliate, and the information required in section 5(b)(1)(B), 5(b)(1)(C), 5(b)(1)(D), 5(b)(1)(E), 5(b)(1)(H), and 5(b)(1)(I) of this chapter.

(F) The commissioner does not disallow the exemption provided by this subdivision within ten (10) full business days after receipt of the filing required by clause (D) or (E). The issuer may make offers (but not sales) before and during the ten (10) day period, if:

- (i) each prospective purchaser is advised in writing that the offer is preliminary and subject to material change; and
- (ii) no enforceable offer to purchase the securities may be made by a prospective purchaser, and no consideration in any form may be accepted or received (directly or indirectly) from a prospective purchaser, before the expiration of the ten (10) day period and the vacation of an order disallowing the exemption.

(G) The issuer need not comply with clause (D), (E), or (F) if:

- (i) each purchaser has access to all the material facts with respect to the securities by reason of the purchaser's active involvement in the organization or management of the issuer or the purchaser's family relationship with a person actively involved in the organization or management of the issuer;
- (ii) there are not more than fifteen (15) purchasers in Indiana and each Indiana purchaser is an accredited investor or is a purchaser described in item (i); or
- (iii) the aggregate offering price of the securities, including securities sold outside Indiana, does not exceed five hundred thousand dollars (\$500,000), the total number of purchasers, including purchasers outside of Indiana, does not exceed twenty-five (25) and each purchaser either receives all of the material facts with respect to the security or is an accredited investor or a purchaser described in item (i).

(H) If the issuer makes or is required to make a filing with the commissioner under clause (D) or (E), the issuer must also file with the commissioner at the time of the filing the consent to service of process required by section 16 of this chapter. The issuer shall also file with the commissioner, at the times and in the forms as the commissioner may prescribe, notices of sales made in reliance upon this subdivision.

(I) The commissioner may by rule deny exemption provided in this subdivision to a particular class of issuers, or may make the exemption available to the issuers upon compliance with additional conditions and requirements, if appropriate

in furtherance of the intent of this chapter.

(11) An offer or sale of securities to existing security holders of the issuer, including persons who at the time of the transaction are holders of convertible securities, nontransferable warrants, or transferable warrants exercisable within not more than ninety (90) days of their issuance if no commission or other remuneration (other than a standby commission) is paid or given for soliciting a security holder in this state.

(12) An offer (but not a sale) of a security for which registration statements or applications have been filed under this chapter and the Securities Act of 1933 (15 U.S.C. 77a-77aa), if no stop order or refusal order is in effect and no public proceeding or examination looking toward an order is pending under either law.

(13) The deposit of shares under a voting-trust agreement and the issue of voting-trust certificates for the deposit.

(14) The offer or sale of a commodity futures contract.

(15) The offer or sale of securities to or for the benefit of security holders incident to a vote by the security holders pursuant to the articles of incorporation or applicable instrument, on a ~~merger or share exchange under IC 23-1-40 or the laws of another state~~, **statutorily approved merger or share exchange**, reclassification of securities, exchange of securities under IC 28-1-7.5, or sale of assets of the issuer in consideration of the issuance of securities of the same or another issuer.

(16) A limited offering transactional exemption, which may be created by rule adopted by the commissioner. The exemption must further the objectives of compatibility with federal exemptions and uniformity among the states.

(c) The commissioner may consider and determine if a proposed sale, transaction, issue, or security is entitled to an exemption accorded by this section. The commissioner may decline to exercise the commissioner's authority as to a proposed sale, transaction, issue, or security. An interested party desiring the commissioner to exercise the commissioner's authority must submit to the commissioner a verified statement of all material facts relating to the proposed sale, transaction, issue, or security, which must be accompanied by a request for a ruling as to the particular exemption claimed, together with a filing fee of one hundred dollars (\$100). After notice to the interested parties as the commissioner determines is proper and after a hearing, if any, the commissioner may enter an order finding the proposed sale, transaction, issue, or security entitled or not entitled to the exemption claimed. An order entered, unless an appeal is taken from it in the manner prescribed in section 20 of this chapter, is binding upon the commissioner and upon all interested parties, provided that the proposed sale, transaction, issue, or security when consummated or issued conforms in every relevant and material particular with the facts as set forth in the verified statement submitted.

(d) The commissioner may by order deny or revoke an exemption specified in subsection (a)(6), (a)(7), or (b) with respect to a specific security or transaction, if the commissioner finds that the securities to which the exemption applies would not qualify for registration under sections 4 and 5 of this chapter. No order may be entered without appropriate prior notice to all interested parties, opportunity for hearing, and written findings of fact and conclusions of law, except

that the commissioner may by order summarily deny or revoke any of the specific exemptions pending final determination of a proceeding under this subsection. Upon the entry of a summary order, the commissioner shall promptly notify all interested parties that it has been entered, of the reasons for the order, and that within fifteen (15) days of the receipt of a written request the matter will be set down for hearing. If no hearing is requested and none is ordered by the commissioner, the order will remain in effect until it is modified or vacated by the commissioner. If a hearing is requested or ordered, the commissioner, after notice of and opportunity for hearing to all interested persons, may modify or vacate the order or extend it until final determination. No order under this subsection may operate retroactively. No person may be considered to have violated section 3 of this chapter by reason of an offer or sale effected after the entry of an order under this subsection if the person sustains the burden of proof that the person did not know, and in the exercise of reasonable care could not have known, of the order.

(e) If, with respect to an offering of securities, any notices or written statements are required to be filed with the commissioner under subsection (b)(10), the first filing made with respect to the offering must be accompanied by a filing fee of one hundred dollars (\$100).

(f) A condition, stipulation, or provision requiring a person acquiring a security to waive compliance with this chapter or a rule or order under this chapter is void.

SECTION 2. IC 23-2-1-10 IS amended TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 10. (a) A registered broker-dealer shall make and keep accounts, correspondence, memoranda, papers, books, and other records as the commissioner requires by rule or otherwise. The commissioner's requirements may not exceed the limitations provided in Section 15 of the Securities and Exchange Act of 1934 (15 U.S.C. 78o).

(b) An investment adviser shall make and keep accounts, correspondence, memoranda, papers, books, and other records as the commissioner requires by rule or otherwise. The commissioner's requirements may not exceed the limitations provided in Section 222 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-18a). The commissioner may prescribe by rule or otherwise the period that an investment adviser must retain records.

(c) All the records of a registered broker-dealer or an investment adviser are subject at any time to reasonable periodic, special, or other examinations by representatives of the commissioner, within or without Indiana, as the commissioner deems necessary or appropriate in the public interest or for the protection of investors. No charges or other examination fees may be assessed against a registered broker-dealer or an investment adviser as a result of an examination under this subsection unless the examination results in an investigation or examination made under section 16(d) of this chapter. To avoid duplication of examinations of records, the commissioner may cooperate with the securities administrators of other states, the Securities and Exchange Commission, and any national securities exchange or national securities association registered under the Securities and Exchange Act of 1934 (15 U.S.C. 77b et seq.).

(d) Every registered broker-dealer and investment adviser shall file financial reports and other reports as the commissioner by rule or order prescribes. The commissioner's reporting requirements for registered broker-dealers may not exceed the limitations provided in

Section 15 of the Securities and Exchange Act of 1934 (15 U.S.C. 78o). The commissioner's reporting requirements for investment advisers may not exceed the limitations provided in Section 222 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-18a).

(e) If the information contained in a document filed with the commissioner is or becomes inaccurate or incomplete in any material respect, the registrant shall promptly file a correcting amendment.

(f) The commissioner may require investment advisers to furnish or disseminate certain information necessary or appropriate for the public interest or to protect investors or clients. The commissioner may determine that the information furnished to clients or prospective clients of an investment adviser under the Investment Advisers Act of 1940 (15 U.S.C. 80a-1 et seq.) and the rules adopted under the Investment Advisers Act of 1940 may be used to satisfy this requirement.

(g) The commissioner may annually select as many as twenty-five percent (25%) of all Indiana home and branch offices of registered broker-dealers for completion of compliance reports. ~~The offices shall be selected at random.~~ Each broker-dealer office that is selected shall file its compliance report according to rules adopted by the commissioner under IC 4-22-2 not more than ninety (90) days after being notified of selection under this subsection. No charges or other examination fees may be assessed against a registered broker-dealer as a result of the examination of a compliance report filed under this subsection unless the examination results in an investigation or examination made under section 16(d) of this chapter.

SECTION 3. IC 23-2-1-15 IS amended TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 15. (a) This chapter shall be administered by a division of the office of the secretary of state. The secretary of state shall appoint a securities commissioner who shall be responsible for the direction and supervision of the division and the administration of this chapter under the direction and control of the secretary of state. The salary of the securities commissioner shall be paid out of the funds appropriated for the administration of this chapter. The commissioner shall serve at the will of the secretary of state.

(b) The secretary of state:

(1) shall employ a chief deputy, a senior investigator, a senior accountant, and other deputies, investigators, accountants, clerks, stenographers, and other employees necessary for the administration of this chapter; and

(2) shall fix their compensation with the approval of the budget agency.

The chief deputy, other deputies, the senior investigator, and the senior accountant, once employed under this chapter, may be dismissed only for cause by the secretary of state upon ten (10) days notice in writing stating the reasons for dismissal. Within fifteen (15) days after dismissal, the chief deputy, other deputies, the senior investigator, and the senior accountant may appeal to the state personnel board. The state personnel board shall hold a hearing, and if it finds that the appealing party was dismissed for a political, social, religious, or racial reason, the appealing party shall be reinstated to the appealing party's position without loss of pay. In all other cases, if the decision is favorable to the appealing party, the secretary of state shall follow the findings and recommendations of the board, which may include reinstatement and payment of salary or wages lost. The hearing and any subsequent proceedings or appeals shall be



governed by the provisions of IC 4-15-2 and IC 4-21.5.

(c) Fees and funds of whatever character accruing from the administration of this chapter shall be accounted for by the secretary of state and shall be deposited with the treasurer of state to be deposited by the treasurer of state in the general fund of the state. Expenses incurred in the administration of this chapter shall be paid from the general fund upon appropriation being made for the expenses in the manner provided by law for the making of those appropriations. However, costs of investigations recovered under sections 16(d) and 17.1(c) of this chapter shall be deposited with the treasurer of state to be deposited by the treasurer of state in a separate account to be known as the securities division enforcement account. The funds in the account shall be available, with the approval of the budget agency, to augment and supplement the funds appropriated for the administration of this chapter. The funds in the account do not revert to the general fund at the end of any fiscal year.

(d) In connection with the administration and enforcement of the provisions of this chapter, the attorney general shall render all necessary assistance to the securities commissioner upon the commissioner's request, and to that end, the attorney general shall employ legal and other professional services as are necessary to adequately and fully perform the service under the direction of the securities commissioner as the demands of the securities division shall require. Expenses incurred by the attorney general for the purposes stated in this subsection shall be chargeable against and paid out of funds appropriated to the attorney general for the administration of the attorney general's office.

(e) Neither the secretary of state, the securities commissioner, nor an employee of the securities division shall be liable in their individual capacity, except to the state, for an act done or omitted in connection with the performance of their respective duties under this chapter.

(f) The commissioner, subject to the approval of the secretary of state, may adopt rules, orders, and forms necessary to carry out this chapter, including rules and forms concerning registration statements, applications, reports, and the definitions of any terms if the definitions are consistent with this chapter. The commissioner may by rule or order allow for exemptions from registration requirements under sections 3 and 8 of this chapter if the exemptions are consistent with the public interest and this chapter.

(g) The provisions of this chapter delegating and granting power to the secretary of state, the securities division, and the securities commissioner shall be liberally construed to the end that:

- (1) the practice or commission of fraud may be prohibited and prevented;
- (2) disclosure of sufficient and reliable information in order to afford reasonable opportunity for the exercise of independent judgment of the persons involved may be assured; and
- (3) the qualifications may be prescribed to assure availability of reliable broker-dealers, investment advisers, and agents engaged in and in connection with the issuance, barter, sale, purchase, transfer, or disposition of securities in this state.

It is the intent and purpose of this chapter to delegate and grant to and vest in the secretary of state, the securities division, and the securities commissioner full and complete power to carry into effect and accomplish the purpose of this chapter and to charge them with full and complete responsibility for its effective administration.

(h) It is the duty of a prosecuting attorney, as well as of the attorney general, to assist the securities commissioner upon the commissioner's request in the prosecution to final judgment of a violation of the penal provisions of this chapter and in a civil proceeding or action arising under this chapter. If the commissioner determines that an action based on the securities division's investigations is meritorious:

- (1) the commissioner or a designee empowered by the commissioner shall certify the facts drawn from the investigation to the prosecuting attorney of the judicial circuit in which the crime may have been committed;
- (2) the commissioner and the securities division shall assist the prosecuting attorney in prosecuting an action under this section, which may include a securities division attorney serving as a special deputy prosecutor appointed by the prosecuting attorney;
- (3) a prosecuting attorney to whom facts concerning fraud are certified under subdivision (1) may refer the matter to the attorney general; and
- (4) if a matter has been referred to the attorney general under subdivision (3), the attorney general may:
  - (A) file an information in a court with jurisdiction over the matter in the county in which the offense is alleged to have been committed; and
  - (B) prosecute the alleged offense.

(i) The securities commissioner shall take, prescribe, and file the oath of office prescribed by law. The securities commissioner, ~~senior investigator, the chief deputy commissioner, and each deputy attorney or investigator designated by the commissioner~~ are police officers of the state and shall:

- (1) have all the powers and duties of police officers in making arrests for violations of this chapter, or in serving any process, notice, or order connected with the enforcement of this chapter by whatever officer or authority or court issued; ~~The securities commissioner, the deputy commissioners for enforcement, and the investigators and~~
  - (2) comprise the enforcement department of the division;
- and are considered a criminal justice agency for purposes of IC 5-2-4 and IC 10-13-3.

(j) The securities commissioner and each employee of the securities division shall be reimbursed for necessary hotel and travel expenses when required to travel on official duty. Hotel and travel reimbursements shall be paid in accordance with the travel regulations prescribed by the budget agency.

(k) It is unlawful for the secretary of state, the securities commissioner, or the securities division's employees to use for personal benefit information that is filed with or obtained by the securities division and that is not made public. No provision of this chapter authorizes the secretary of state, the securities commissioner, or the employees of the securities division to disclose information except among themselves, or when necessary or appropriate, in a proceeding or investigation under this chapter. No provision of this chapter either creates or derogates from a privilege that exists at common law or otherwise when documentary or other evidence is sought under a subpoena directed to the secretary of state, the securities commissioner, or the securities division or its employees.

(l) The commissioner may honor requests from interested persons for interpretative opinions and from interested persons for determinations that the commissioner will not institute enforcement proceedings against specified persons for specified activities. A determination not to institute enforcement proceedings must be consistent with this chapter. A person may not request an interpretive opinion concerning an activity that:

- (1) occurred before; or
- (2) is occurring on;

the date that the opinion is requested. The commissioner shall charge a fee of one hundred dollars (\$100) for an interpretative opinion or determination.

SECTION 4. IC 23-2-1-17.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 17.1. (a) Whenever it appears to the commissioner that a person has engaged in or is about to engage in an act or practice constituting a violation of this chapter or a rule or order under this chapter, the commissioner may investigate and may issue, with or without a prior hearing, orders and notices as the commissioner determines to be in the public interest, including cease and desist orders, orders to show cause, and notices. After notice and hearing, the commissioner may enter an order of rescission, restitution, or disgorgement, including interest at the rate of eight percent (8%) per year, directed to a person who has violated this chapter or a rule or order under this chapter. In addition to all other remedies, the commissioner may bring an action in the name and on behalf of the state against the person and any other person participating in or about to participate in a violation of this chapter, to enjoin the person from continuing or doing an act furthering a violation of this chapter and may obtain the appointment of a receiver or conservator. Upon a proper showing by the commissioner, the court shall enter an order of the commissioner directing rescission, restitution, or disgorgement to a person who has violated this chapter or a rule or order under this chapter. In a court proceeding, the commissioner may apply for and on due showing be entitled to have issued the court's subpoena requiring the appearance of a defendant and the defendant's employees or agents and the production of documents, books, and records as may appear necessary for the hearing of the petition, to testify and give evidence concerning the acts or conduct or things complained of in the action. In the action, the circuit or superior courts shall have jurisdiction of the subject matter. The court may not require the commissioner to post a bond.

(b) Upon the issuance of an order or notice by the commissioner under subsection (a), the commissioner shall promptly notify the respondent that it has been issued and the reasons it has been issued and that upon the receipt of a written request the matter will be set down for a hearing to commence within forty-five (45) business days after receipt of the request unless the respondent consents to a later date. If no hearing is requested and none is ordered by the commissioner, the order will remain in effect until it is modified or vacated by the commissioner. If a hearing is requested or ordered, the commissioner, after notice of an opportunity for hearing may modify or vacate the order or extend it until final determination.

(c) In a proceeding in a circuit or superior court under this section, the commissioner shall be entitled to recover all costs and expenses of investigation to which the commissioner would be entitled in an administrative proceeding under section 16(d) of this chapter, and the court shall include the costs in its final judgment.

(d) The commissioner shall notify the insurance commissioner when an administrative action or civil proceeding is filed under this section.

(e) A person who has:

**(1) an order of rescission, restitution, or disgorgement entered against the person; or**

**(2) a civil penalty imposed upon the person;**

**under this chapter that has not been satisfied in full is not eligible for issuance or renewal of any license from any agency, board, commissioner, officer, department, or bureau of state government.**

SECTION 5. IC 23-2-1-18.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 18.1. (a) A person who knowingly violates this chapter commits a Class C felony.

**(b) An action for a violation of section 3 or 8(a) of this chapter may be brought in:**

**(1) the county where the violation allegedly occurred; or**

**(2) Marion County.**

SECTION 6. IC 23-2-2.5-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 18. A registration by notification may be renewed by submitting to the commissioner a registration renewal form ~~no not~~ later than ~~thirty (30) days prior to the expiration of the registration unless that thirty (30) day period is waived by the commissioner: the date the registration is due to expire.~~ If no stop order or other order under section 14 of this chapter is in effect, registration of the offer is renewed at the time the registration would have expired. A renewal is effective for a period of one (1) year unless the commissioner specified a shorter period.

SECTION 7. IC 23-2-5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 10. (a) Whenever it appears to the commissioner that a person has engaged in or is about to engage in an act or a practice constituting a violation of this chapter or a rule or an order under this chapter, the commissioner may investigate and may issue, with a prior hearing if there exists no substantial threat of immediate irreparable harm or without a prior hearing, if there exists a substantial threat of immediate irreparable harm, orders and notices as the commissioner determines to be in the public interest, including cease and desist orders, orders to show cause, and notices. After notice and hearing, the commissioner may enter an order of rescission, restitution, or disgorgement, including interest at the rate of eight percent (8%) per year, directed to a person who has violated this chapter or a rule or order under this chapter.

(b) Upon the issuance of an order or notice without a prior hearing by the commissioner under subsection (a), the commissioner shall promptly notify the respondent:

(1) that the order or notice has been issued;

(2) of the reasons the order or notice has been issued; and

(3) that upon the receipt of a written request the matter will be set down for a hearing to commence within fifteen (15) business days after receipt of the request unless the respondent consents to a later date.

If a hearing is not requested and not ordered by the commissioner, an order remains in effect until it is modified or vacated by the commissioner. If a hearing is requested or ordered, the commissioner, after notice of an opportunity for hearing, may modify or vacate the order or extend it until final determination.

(c) The commissioner may deny, suspend, or revoke the license of a licensee or the registration of a registrant if the licensee or the

registrant:

- (1) fails to maintain the bond required under section 5 of this chapter;
- (2) is insolvent;
- (3) has violated any provision of this chapter;
- (4) has knowingly filed with the commissioner any document or statement containing any false representation of a material fact or omitting to state a material fact or if a representation becomes false after the filing but during the term of a license or certificate of registration as provided in subsection (g); or
- (5) has been convicted, within ten (10) years before the date of the application, renewal, or review, of any crime involving fraud or deceit.

(d) The commissioner may not enter a final order denying, suspending, or revoking the license of a licensee or the registration of a registrant without prior notice to all interested parties, opportunity for a hearing, and written findings of fact and conclusions of law. However, the commissioner may by summary order deny, suspend, or revoke a license or certificate of registration pending final determination of any proceeding under this section. Upon the entry of a summary order, the commissioner shall promptly notify all interested parties that it has been entered, of the reasons for the summary order, and that upon receipt by the commissioner of a written request from a party, the matter will be set for hearing to commence within fifteen (15) business days after receipt of the request. If no hearing is requested and none is ordered by the commissioner, the order remains in effect until it is modified or vacated by the commissioner. If a hearing is requested or ordered, the commissioner, after notice of the hearing has been given to all interested persons and the hearing has been held, may modify or vacate the order or extend it until final determination.

(e) IC 4-21.5 does not apply to a proceeding under this section.

(f) If:

- (1) a licensee desires to have a previously unregistered employee begin engaging in origination activities; or
- (2) an individual who was previously registered under this chapter is employed by another licensee who desires to have the registrant engage in origination activities;

the employer licensee shall, within ~~fifteen (15)~~ **five (5) business** days after the employee first conducts origination activities, submit to the commissioner, on a form prescribed by the commissioner, notice of the registrant's employment. If the employee has not previously been registered, the licensee shall submit evidence that the employee has completed the education requirements of section 21 of this chapter.

(g) If a material fact or statement included in an application under this chapter changes after the application has been submitted, the applicant shall provide written notice to the commissioner of the change. The commissioner may revoke or refuse to renew the license or registration of any person who:

- (1) is required to submit a written notice under this subsection and fails to provide the required notice within two (2) business days after the person discovers or should have discovered the change; or
- (2) would not qualify for licensure or registration under this chapter as a result of a change in material fact or statement.

SECTION 8. IC 23-2-5-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 11. (a) The

commissioner may do the following:

- (1) Adopt rules under IC 4-22-2 to implement this chapter.
- (2) Make investigations and examinations:
  - (A) in connection with any application for licensure or for registration of a licensee or registrant or with any license or certificate of registration already granted; or
  - (B) whenever it appears to the commissioner, upon the basis of a complaint or information, that reasonable grounds exist for the belief that an investigation or examination is necessary or advisable for the more complete protection of the interests of the public.
- (3) Charge as costs of investigation or examination all reasonable expenses, including a per diem prorated upon the salary of the commissioner or employee and actual traveling and hotel expenses. All reasonable expenses are to be paid by the party or parties under investigation or examination if the party has violated this chapter.
- (4) Issue notices and orders, including cease and desist notices and orders, after making an investigation or examination under subdivision (2). The commissioner may also bring an action on behalf of the state to enjoin a person from violating this chapter. The commissioner shall notify the person that an order or notice has been issued, the reasons for it, and that a hearing will be set within fifteen (15) days after the commissioner receives a written request from the person requesting a hearing.
- (5) Sign all orders, official certifications, documents, or papers issued under this chapter or delegate the authority to sign any of those items to a deputy.
- (6) Hold and conduct hearings.
- (7) Hear evidence.
- (8) Conduct inquiries with or without hearings.
- (9) Receive reports of investigators or other officers or employees of the state of Indiana or of any municipal corporation or governmental subdivision within the state.
- (10) Administer oaths, or cause them to be administered.
- (11) Subpoena witnesses, and compel them to attend and testify.
- (12) Compel the production of books, records, and other documents.
- (13) Order depositions to be taken of any witness residing within or without the state. The depositions shall be taken in the manner prescribed by law for depositions in civil actions and made returnable to the commissioner.
- (14) Order that each witness appearing under the commissioner's order to testify before the commissioner shall receive the fees and mileage allowances provided for witnesses in civil cases.
- (15) Provide interpretive opinions or issue determinations that the commissioner will not institute a proceeding or an action under this chapter against a specified person for engaging in a specified act, practice, or course of business if the determination is consistent with this chapter. The commissioner may adopt rules to establish fees for individuals requesting an interpretive opinion or a determination under this subdivision. A person may not request an interpretive opinion or a determination concerning an activity that:**
  - (A) occurred before; or**
  - (B) is occurring on;**

**the date the opinion or determination is requested.**

(b) If a witness, in any hearing, inquiry, or investigation conducted under this chapter, refuses to answer any question or produce any item, the commissioner may file a written petition with the circuit or superior court in the county where the hearing, investigation, or inquiry in question is being conducted requesting a hearing on the refusal. The court shall hold a hearing to determine if the witness may refuse to answer the question or produce the item. If the court determines that the witness, based upon the witness's privilege against self-incrimination, may properly refuse to answer or produce an item, the commissioner may make a written request that the court grant use immunity to the witness. Upon written request of the commissioner, the court shall grant use immunity to a witness. The court shall instruct the witness, by written order or in open court, that:

- (1) any evidence the witness gives, or evidence derived from that evidence, may not be used in any criminal proceedings against that witness, unless the evidence is volunteered by the witness or is not responsive to a question; and
- (2) the witness must answer the questions asked and produce the items requested.

A grant of use immunity does not prohibit evidence that the witness gives in a hearing, investigation, or inquiry from being used in a prosecution for perjury under IC 35-44-2-1. If a witness refuses to give the evidence after ~~he~~ **the witness** has been granted use immunity, the court may find ~~him~~ **the witness** in contempt.

(c) In any prosecution, action, suit, or proceeding based upon or arising out of this chapter, the commissioner may sign a certificate showing compliance or noncompliance with this chapter by any person. This shall constitute prima facie evidence of compliance or noncompliance with this chapter and shall be admissible in evidence in any action at law or in equity to enforce this chapter.

**(d) If:**

- (1) a person disobeys any lawful:**
  - (A) subpoena issued under this chapter; or**
  - (B) order or demand requiring the production of any books, accounts, papers, records, documents, or other evidence or information as provided in this chapter; or**
- (2) a witness refuses to:**
  - (A) appear when subpoenaed;**
  - (B) testify to any matter about which the witness may be lawfully interrogated; or**
  - (C) take or subscribe to any oath required by this chapter;**

the circuit or superior court of the county in which the hearing, inquiry, or investigation in question is held, if demand is made or if, upon written petition, the production is ordered to be made, or the commissioner or a hearing officer appointed by the commissioner, shall compel compliance with the lawful requirements of the subpoena, order, or demand, compel the production of the necessary or required books, papers, records, documents, and other evidence and information, and compel any witness to attend in any Indiana county and to testify to any matter about which the witness may lawfully be interrogated, and to take or subscribe to any oath required.

(e) If a person fails, refuses, or neglects to comply with a court order under this section, the person shall be punished for contempt of court.

SECTION 9. IC 23-2-5-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 22. (a) An appeal may be taken by:**

- (1) any loan broker or principal upon whose application for registration for a loan broker license is granted or denied, from any final order of the commissioner concerning the application or registration;**
- (2) any applicant for registration as a loan broker or originator, from any final order of the commissioner affecting the application or registration as a loan broker or originator;**
- (3) any person against whom a civil penalty is imposed under section 14(a) of this chapter, from the final order of the commissioner imposing the civil penalty; or**
- (4) any person who is named as a respondent, from any final order issued by the commissioner under section 10 or 11 of this chapter;**

to the Marion circuit court or to the circuit or superior court of the county where the person taking the appeal resides or maintains a place of business.

**(b) Not later than twenty (20) days after the entry of the order, the commissioner shall be served with:**

- (1) a written notice of the appeal stating the court to which the appeal will be taken and the grounds upon which a reversal of the final order is sought;**
- (2) a demand in writing from the appellant for a certified transcript of the record and of all papers on file in the commissioner's office affecting or relating to the order; and**
- (3) a bond in the penal sum of five hundred dollars (\$500) to the state of Indiana with sufficient surety to be approved by the commissioner, conditioned upon the faithful prosecution of the appeal to final judgment and the payment of all costs that are adjudged against the appellant.**

**(c) Not later than ten (10) days after the commissioner is served with the items listed in subsection (b), the commissioner shall make, certify, and deliver to the appellant the transcript, and the appellant shall, not later than five (5) days after the date the appellant receives the transcript, file the transcript and a copy of the notice of appeal with the clerk of the court. The notice of appeal serves as the appellant's complaint. The commissioner may appear and file any motion or pleading and form the issue. The cause shall be entered on the trial calendar for trial de novo and given precedence over all matters pending in the court.**

**(d) The court shall receive and consider any pertinent oral or written evidence concerning the order of the commissioner from which the appeal is taken. If the order of the commissioner is reversed, the court shall in its mandate specifically direct the commissioner as to the commissioner's further action in the matter. The commissioner is not barred from revoking or altering the order for any proper cause that accrues or is discovered after the order is entered. If the order is affirmed, the appellant is not barred after thirty (30) days from the date the order is affirmed from filing a new application if the application is not otherwise barred or limited. During the pendency of the appeal, the order from which the appeal is taken is not suspended but remains in effect unless otherwise ordered by the court. An appeal may be taken from the judgment of the court on the same terms and conditions as an appeal is taken in civil actions.**

(Reference is to SB 11 as introduced.)  
and when so amended that said bill be reassigned to the Senate Committee on Insurance and Financial Institutions.

GARTON, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 14, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 35-41-1-17, AS amended BY P.L.222-2005, SECTION 46, IS amended TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) "Law enforcement officer" means:

- (1) a police officer, sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney, or the inspector general;
- (2) a deputy of any of those persons;
- (3) an investigator for a prosecuting attorney or for the inspector general;
- (4) a conservation officer; ~~or~~
- (5) an enforcement officer of the alcohol and tobacco ~~commission; or~~ **commission; or**
- (6) an officer of the department of corrections.**

- (b) "Federal enforcement officer" means any of the following:
  - (1) A Federal Bureau of Investigation special agent.
  - (2) A United States Marshals Service marshal or deputy.
  - (3) A United States Secret Service special agent.
  - (4) A United States Fish and Wildlife Service special agent.
  - (5) A United States Drug Enforcement Agency agent.
  - (6) A Bureau of Alcohol, Tobacco, ~~and~~ Firearms ~~and~~ **Explosives** agent.
  - (7) A United States Forest Service law enforcement officer.
  - (8) A United States Department of Defense police officer or criminal investigator.
  - (9) A United States Customs Service agent.
  - (10) A United States Postal Service investigator.
  - (11) A National Park Service law enforcement commissioned ranger.
  - (12) United States Department of Agriculture, Office of Inspector General special agent.
  - (13) A United States Immigration and Naturalization Service special agent.
  - (14) An individual who is:
    - (A) an employee of a federal agency; and
    - (B) authorized to make arrests and carry a firearm in the performance of the individual's official duties.

SECTION 2. **An emergency is declared for this act.**

(Reference is to SB 14 as introduced.)  
and when so amended that said bill be reassigned to the Senate Committee on Corrections, Criminal, and Civil Matters.

GARTON, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 19, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 31-9-2-28.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec.28.5. "Covenant marriage", for purposes of IC 31-11-4, IC 31-11-4.5, and IC 31-15 means a marriage entered into by one (1) male and one (1) female who:**

- (1) understand and agree that the marriage between them is a lifelong relationship;**
- (2) have received counseling emphasizing the nature, purposes, and responsibilities of marriage;**
- (3) understand and agree that only when there has been a complete and total breach of the marital covenant may the nonbreaching party seek a dissolution of the marriage; and**
- (4) declare their intent to enter into a covenant marriage on:**
  - (A) their application for a marriage license under IC 31-11-4-4; or**
  - (B) a declaration of intent to designate their existing marriage as a covenant marriage under IC 31-11-4.5-2.**

SECTION 2. IC 31-11-4-4 IS amended TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) An application for a marriage license must be written and verified. The application must contain the following information concerning each of the applicants:

- (1) Full name.
- (2) Birthplace.
- (3) Residence.
- (4) Age.
- (5) Names of dependent children.
- (6) Full name, including the maiden name of a mother, last known residence, and, if known, the place of birth of:
  - (A) the birth parents of the applicant if the applicant is not adopted; or
  - (B) the adoptive parents of the applicant if the applicant is adopted.
- (7) A statement of facts necessary to determine whether any legal impediment to the proposed marriage exists.
- (8) Except as provided in subsection (e), an acknowledgment that both applicants must sign, affirming that the applicants have received the information described in section 5 of this chapter, including a list of test sites for the virus that causes AIDS (acquired immune deficiency syndrome). The acknowledgment required by this subdivision must be in the following form:

ACKNOWLEDGMENT

I acknowledge that I have received information regarding dangerous communicable diseases that are sexually transmitted and a list of test sites for the virus that causes AIDS (acquired immune deficiency syndrome).

_____	_____
Signature of Applicant	Date
_____	_____
Signature of Applicant	Date

**(9) If the parties intend to enter into a covenant marriage:****(A) a statement that both applicants must sign; and****(B) the documents required under IC 31-11-4.5-1.****The statement under clause (A) for a covenant marriage must be in the following form:****COVENANT MARRIAGE**

We, \_\_\_\_\_ (name of intended husband) and \_\_\_\_\_ (name of intended wife), do hereby declare our intent to contract a covenant marriage and, accordingly, have executed a declaration of intent and filed it with this application for a marriage license.

\_\_\_\_\_  
Signature of Intended Husband                      Date

\_\_\_\_\_  
Signature of Intended Wife                      Date

(b) The clerk of the circuit court shall record the application, including the license and certificate of marriage, in a book provided for that purpose. This book is a public record.

(c) The state department of health shall develop uniform forms for applications for marriage licenses, **which must indicate whether the individuals applying for the marriage license are declaring an intent to enter into a covenant marriage.** The state department of health shall furnish these forms to the circuit court clerks. The state department of health may periodically revise these forms.

(d) The state department of health shall require that the record of marriage form developed under subsection (c) must include each applicant's Social Security number. Any Social Security numbers collected on the record of marriage form shall be kept confidential and used only to carry out the purposes of the Title IV-D program. A person who knowingly or intentionally violates confidentiality regarding an applicant's Social Security ~~numbers~~ **number** as described in this subsection commits a Class A infraction.

(e) Notwithstanding subsection (a), a person who objects on religious grounds is not required to:

(1) verify the application under subsection (a) by oath or affirmation; or

(2) sign the acknowledgment described in subsection (a)(8).

However, before the clerk of the circuit court may issue a marriage license to a member of the Old Amish Mennonite church, the bishop of that member must sign a statement that the information in the application is true.

(f) If a person objects on religious grounds to:

(1) verifying the application under subsection (a) by oath or affirmation; or

(2) signing the acknowledgment described in subsection (a)(8); the clerk of the circuit court shall indicate that fact on the application for a marriage license.

SECTION 3. IC 31-11-4-15 IS amended TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. Each marriage license must have two (2) certificates attached to the license. The state department of health shall prescribe a uniform ~~form~~ **forms** for these certificates. One (1) certificate must be marked "Original", and one (1) certificate must be marked "Duplicate". Each certificate must contain the following:

**(1) For individuals not declaring their marriage a covenant marriage:**

**MARRIAGE CERTIFICATE**

I \_\_\_\_\_ (name) certify that on \_\_\_\_\_ (date) at \_\_\_\_\_ in

\_\_\_\_\_ County, Indiana, \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state) and \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state) were married by me as authorized under a marriage license that was issued by the Clerk of the Circuit Court of \_\_\_\_\_ County, Indiana, dated \_\_\_\_\_.

Signed

(OFFICIAL DESIGNATION)

**(2) For individuals declaring their marriage a covenant marriage:**

**MARRIAGE CERTIFICATE**

I \_\_\_\_\_ (name) certify that on \_\_\_\_\_ (date) at \_\_\_\_\_ in \_\_\_\_\_ County, Indiana, \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state) and \_\_\_\_\_ of \_\_\_\_\_ County, \_\_\_\_\_ (state) were married by me into a covenant marriage as authorized under a marriage license that was issued by the Clerk of the Circuit Court of \_\_\_\_\_ County, Indiana, dated \_\_\_\_\_.

Signed

(OFFICIAL DESIGNATION)

SECTION 4. IC 31-11-4-18 IS amended TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) The clerk of the circuit court shall forward marriage records to the state department of health on at least a monthly basis.

(b) The state department of health shall:

(1) prescribe:

**(A) a form for recording marriages that provides a manner for the clerk of the circuit court to indicate whether the marriage was declared a covenant marriage; and**

**(B) a form for recording declarations of a covenant marriage filed under IC 31-11-4.5-2;**

(2) accept a court order under section 17 of this chapter (or IC 31-7-3-15.5 before its repeal) in place of a marriage certificate;

(3) prepare an annual index of all marriages solemnized in Indiana **that:**

**(A) distinguishes between a marriage designated as a covenant marriage and a marriage not designated as a covenant marriage; and**

**(B) indicates declarations of a covenant marriage filed under IC 31-11-4.5-2;**

and furnish at least one (1) index to the Indiana state library; ~~and~~ (4) furnish **to the Indiana state library** reports on records of marriage published by the state department of health ~~to the Indiana state library that:~~

**(A) distinguish between a marriage designated as a covenant marriage and a marriage not designated as a covenant marriage; and**

**(B) indicate declarations of a covenant marriage filed under IC 31-11-4.5-2; and**

**(5) develop an informational pamphlet entitled "Covenant Marriage Law", which outlines in sufficient detail the consequences of entering into a covenant marriage. The state department of health shall make this informational pamphlet available upon request to any priest, minister, rabbi, clerk of the Religious Society of Friends, clergyman of any religious sect, or marriage counselor.**

SECTION 5. IC 31-11-4.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE

UPON PASSAGE]:

#### Chapter 4.5. Covenant Marriage

Sec. 1. (a) Individuals applying for a marriage license under IC 31-11-4 may, at the time of filing an application for a marriage license, file a declaration of intent to enter into a covenant marriage, consisting of the following documents:

(1) A recitation to the following effect, with the signatures of both parties witnessed by a notary public:

##### A COVENANT MARRIAGE

"We do solemnly declare that marriage is a covenant between a man and a woman who agree to live together as husband and wife for so long as they both may live. We have chosen each other carefully and disclosed to one another everything that could adversely affect the decision to enter into this marriage. We have received premarital counseling on the nature, purposes, and responsibilities of marriage. We have read the "Covenant Marriage Law" informational pamphlet, and we understand that a covenant marriage is for life. If we experience marital difficulties, we commit ourselves to take all reasonable efforts to preserve our marriage, including marital counseling.

With full knowledge of what this commitment means, we do hereby declare that our marriage will be bound by Indiana law on covenant marriages, and we promise to love, honor, and care for one another as husband and wife for the rest of our lives."

(2) An affidavit by the parties that they have received premarital counseling from a priest, minister, rabbi, clerk of the Religious Society of Friends, clergyman of any religious sect, or marriage counselor that included a discussion of the seriousness of covenant marriage, communication of the fact that a covenant marriage is a commitment for life, a discussion of the obligation to seek marital counseling in times of marital difficulties, and a discussion of the exclusive grounds for obtaining a judgment of legal separation or for legally dissolving a covenant marriage.

(3) A notarized attestation, signed by the counselor and attached to or included in the parties' affidavit, confirming that the parties were counseled as to the nature and purpose of the marriage and the grounds for termination of the marriage and acknowledging that the counselor provided to the parties the informational pamphlet "Covenant Marriage Law" developed by the state department of health.

(4) If one (1) or both of the parties are minors, the consent required by IC 31-11-2.

(b) The recitation required under subsection (a)(1) shall be prepared in duplicate originals, one (1) of which shall be retained by the parties and the other of which shall be filed with the clerk of the circuit court and attached to the duplicate marriage certificate when filed with the clerk of the circuit court.

Sec. 2. (a) A married couple may execute a declaration of intent to designate their marriage as a covenant marriage to be governed by the laws governing covenant marriages. The declaration consists of the following documents:

(1) A recitation to the following effect, with the signatures of both parties witnessed by a notary public:

##### A COVENANT MARRIAGE

"We do solemnly declare that marriage is a covenant between a man and a woman who agree to live together as husband and wife for so long as they both may live. We understand the nature, purposes, and responsibilities of marriage. We have read the "Covenant Marriage Law" informational pamphlet, and we understand that a covenant marriage is for life. If we experience marital difficulties, we commit ourselves to take all reasonable efforts to preserve our marriage, including marital counseling.

With full knowledge of what this commitment means, we do hereby declare that our marriage will be bound by Indiana law on covenant marriages, and we renew our promise to love, honor, and care for one another as husband and wife for the rest of our lives."

(2) An affidavit by the parties that they have discussed their intent to designate their marriage as a covenant marriage with a priest, minister, rabbi, clerk of the Religious Society of Friends, clergyman of any religious sect, or marriage counselor, and that the discussion included a discussion of the obligation to seek marital counseling in times of marital difficulties and the exclusive grounds for obtaining a judgment of legal separation or for legally dissolving a covenant marriage.

(3) A notarized attestation, signed by the counselor and attached to or included in the parties' affidavit, acknowledging that the counselor provided to the parties the informational pamphlet "Covenant Marriage Law" developed by the state department of health.

(b) The recitation required under subsection (a)(1) shall be prepared in duplicate originals, one (1) of which shall be retained by the parties and the other of which shall be filed as determined under subsection (c).

(c) The documents required under subsection (a) shall be filed with the clerk of the circuit court:

(1) in which the couple's marriage license is filed, if the couple was married in Indiana; or

(2) in the county where the couple is domiciled, if the couple was married outside Indiana.

(d) If the couple is married outside Indiana, the documents required under subsection (a) must be accompanied by a certified copy of the couple's marriage certificate.

(e) Upon receipt of a declaration designating a marriage as a covenant marriage under this section, the clerk of the circuit court shall make a notation on the marriage certificate of the declaration and attach a copy of the declaration to the certificate.

SECTION 6. IC 31-15-1-2 IS amended TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. The purposes and policies of this article are as follows:

(1) To abolish the existing grounds for absolute and limited divorce and to provide as the basis for dissolution of marriage:

(A) irretrievable breakdown of the marriage;

(B) the conviction of either party, subsequent to the marriage, of a felony;

(C) impotence existing at the time of the marriage; and

(D) incurable insanity of either party for a period of at least two (2) years.

~~(2)~~ (1) To provide for the appropriate procedures for the dissolution of marriage.

~~(3)~~ (2) To provide for the disposition of property, child support, and child custody.

~~(4)~~ (3) To provide for separation agreements.

~~(5)~~ (4) To provide for a temporary legal separation.

SECTION 7. IC 31-15-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. **(a) Except as provided in subsection (b), dissolution of marriage shall be decreed upon a finding by a court of one (1) of the following grounds and no other ground:**

(1) Irretrievable breakdown of the marriage.

(2) The conviction of either of the parties, subsequent to the marriage, of a felony.

(3) Impotence existing at the time of the marriage.

(4) Incurable insanity of either party for a period of at least two (2) years.

**(b) Dissolution of a marriage declared to be a covenant marriage under IC 31-11-4.5 shall be granted only upon a finding by a court of one (1) of the following grounds:**

**(1) The nonpetitioning spouse has:**

**(A) committed adultery;**

**(B) committed a felony and has been sentenced to death or life imprisonment without the possibility of parole;**

**(C) abandoned the marital residence for at least one (1) year and refuses to return; or**

**(D) physically or sexually abused the petitioning spouse or any child.**

**(2) The spouses have been living separate and apart continuously without reconciliation for at least:**

**(A) two (2) years; or**

**(B) one (1) year from the date a judgment of legal separation was signed.**

SECTION 8. IC 31-15-2-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. A petition for dissolution of marriage must:

(1) be verified; and

(2) set forth the following:

(A) The residence of each party and the length of residence in the state and county.

(B) The date of the marriage.

(C) The date on which the parties separated.

(D) The name, age, and address of:

(i) any living child less than twenty-one (21) years of age; and

(ii) any incapacitated child;

of the marriage and whether the wife is pregnant.

(E) The grounds for dissolution of the marriage.

(F) The relief sought.

**(G) If applicable, a statement that the marriage has been declared a covenant marriage.**

SECTION 9. IC 31-15-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. A proceeding for legal separation is commenced by the filing of a petition entitled, "In Re the legal separation of \_\_\_\_\_ and \_\_\_\_\_". The petition must:

(1) be verified; and

(2) set forth the following:

(A) The residence of each party and the length of residence in the state and county.

(B) The date of the marriage.

(C) The date on which the parties separated.

(D) The names, ages, and addresses of:

(i) any living child less than twenty-one (21) years of age; and

(ii) any incapacitated child;

of the marriage and whether the wife is pregnant.

(E) The grounds for legal separation.

(F) The relief sought.

**(G) If applicable, a statement that the marriage has been declared a covenant marriage.**

SECTION 10. IC 31-15-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. **(a) Except as provided in subsection (b), in an action for legal separation under section 2 of this chapter, the court may grant a decree for a separation of the parties to the marriage for a period not to exceed one (1) year if the court finds that:**

(1) conditions in or circumstances of the marriage make it currently intolerable for both parties to live together;

(2) the marriage should be maintained; and

(3) neither party has filed a petition or counter petition for dissolution of marriage under IC 31-15-2 (or IC 31-1-11.5 before its repeal).

**(b) A court may grant a decree for a legal separation of the parties to a covenant marriage for a period not to exceed one (1) year if the court finds that:**

**(1) the nonpetitioning spouse has:**

**(A) committed adultery;**

**(B) committed a felony and has been sentenced to death or life imprisonment without the possibility of parole;**

**(C) abandoned the marital residence for at least one (1) year and refuses to return; or**

**(D) physically or sexually abused the petitioning spouse or any child;**

**(2) the spouses have been living separate and apart continuously without reconciliation for at least two (2) years; or**

**(3) the nonpetitioning spouse has exhibited habitual intemperance, excesses, cruel treatment, or outrages of such a nature as to render the parties' continued living together unsupportable.**

SECTION 11. IC 31-15-4-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. The court may require the parties to seek counseling for themselves or for a child of the parties under such terms and conditions that the court considers appropriate if:

(1) either party makes a motion for counseling in an effort to improve conditions of their marriage;

(2) a party, the child of the parties, the child's guardian ad litem or court appointed special advocate, or the court makes a motion for counseling for the child; or

(3) the court makes a motion for counseling for parties who:

**(A) are the parents of a child less than eighteen (18) years of age; or**

**(B) have declared the marriage to be a covenant marriage.**



**SECTION 12. [EFFECTIVE UPON PASSAGE] (a) The state department of health shall develop, before July 1, 2006, an informational pamphlet entitled "Covenant Marriage Law", as provided under IC 31-11-4-18, as amended by this act, that outlines in sufficient detail the consequences of entering into a covenant marriage. The state department of health shall make this informational pamphlet available upon request to any priest, minister, rabbi, clerk of the Religious Society of Friends, clergyman of any religious sect, or marriage counselor who provides marriage counseling as provided for by this act.**

**(b) This SECTION expires December 31, 2006.**

**SECTION 13. An emergency is declared for this act.**

(Reference is to SB 19 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Judiciary.

GARTON, Chair

Report adopted.

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted the following motion:

"I move that the committee of four members of the House be appointed by the Speaker to act with a like committee of the Senate to wait upon the Governor and to notify him of the organization of both houses of the General Assembly and to inform him that they are ready for the transaction of legislative business."

The Speaker has appointed Representatives Bell, Crouch, Grubb, and Porter.

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 2, 3, 4, 5, and 6 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS  
Principal Clerk of the House

#### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted the following motion:

"I move that Representatives Turner, Bauer, T. Brown, and Stilwell be appointed as a committee of four members of the House of Representatives to notify the Senate that the House of Representatives has met, has formed a quorum, and is now prepared to proceed with legislative business to receive any communications which the Senate may transmit."

M. CAROLINE SPOTTS  
Principal Clerk of the House

### STATE OF INDIANA EXECUTIVE DEPARTMENT INDIANAPOLIS

EXECUTIVE ORDER 05-23

FOR: CLEMENCY FOR ARTHUR PAUL BAIRD II, DOC NO. 872036

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, In 1987, a Montgomery County jury found Arthur Paul Baird II guilty of the September 1985, murders of his pregnant wife, Nadine Baird, his mother, Kathryn Baird, and his father, Arthur Baird I;

WHEREAS, The Montgomery Circuit Court followed the jury's recommendation and sentenced Baird to death for the murder of his parents; the trial court also imposed a sixty-year sentence for the murder of Baird's wife and an eight-year sentence for the feticide involving his unborn child;

WHEREAS, Baird is guilty of the murders of Nadine Baird, Arthur Paul Baird I and Kathryn Baird and is legally eligible for the death penalty under IC 35-50-2-9(b)(8);

WHEREAS, Baird's claims have received proper and thorough consideration in the judicial system;

WHEREAS, Baird has asked that his sentence of death be commuted to Life Without Parole;

WHEREAS, There exists sufficient reasons to commute Baird's sentence, as explained in detail in the document titled Grant of Commutation to Arthur Paul Baird II, attached hereto and incorporated by reference in this Executive Order; and

WHEREAS, My review of the facts of this case leads me to exercise clemency by commuting Baird's sentence. This decision is based on the unique circumstances of this case. All the facts, not one single element, cause me to grant clemency.

NOW, THEREFORE, I, Mitchell E. Daniels, Jr., the Governor of the State of Indiana, by virtue of the power vested in me by the Constitution and laws of the State of Indiana, hereby commute the death sentence imposed on Arthur Paul Baird II for the murders of Arthur Paul Baird I and Kathryn Baird to Life Without Parole.

IN TESTIMONY WHEREOF, I, Mitchell E. Daniels, Jr., have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 29th day of August, 2005.

Mitchell E. Daniels, Jr.  
Governor of Indiana

ATTEST: Todd Rokita  
Secretary of State

### GRANT OF COMMUTATION TO ARTHUR PAUL BAIRD II

The case of Arthur Baird would justify the death penalty based upon the nature of his crimes, the unchallenged certainty that he committed them, and the care and completeness of the legal process in imposing that sentence and in consistently upholding it over the years since those crimes occurred. Nonetheless, given certain unusual, probably unique circumstances in this case, a different outcome seems more just. These circumstances include:

- Life without parole was not an option in Indiana when Mr. Baird was sentenced. Such a sentence has since become an option and would be available to the jury today.

- The unanimous sentiment expressed by family members at the time of the trial and years later demonstrates that they believed life without parole was the most appropriate penalty for Mr. Baird. All members of the jury whose views are known also indicate that, had life without parole been an alternative available to them, they would have imposed it instead of the death penalty.
- Further reflecting that consensus, the State offered the equivalent of life without parole in a plea agreement that Mr. Baird appeared ready to accept before trial. However, at the time of submitting his plea, he suddenly reversed course and, apparently due to his delusional state, rejected the bargain the State saw fit to offer him.

Courts recognized Mr. Baird as suffering from mental illness at the time he committed the murders, and Indiana Supreme Court Justice Ted Boehm recently wrote that Mr. Baird is "insane in the ordinary sense of the word." It is difficult to find reasons not to agree.

However, I reached today's decision without substituting my judgment for others on the ambiguous issue of Mr. Baird's degree of insanity. To me, it suffices to note that, had the sentence of life without parole been available in 1987, the jury and the State would have imposed it with the support of the victims' families.

I conclude that the proper and just result in this case is for Arthur Paul Baird II to serve a term of life without parole, and I therefore commute his sentence accordingly.

#### MEMORANDUM

To: Mary Mendel, Principal Secretary  
 From: Senator Vaneta Becker  
 Date: January 4, 2006  
 Subject: Senate Bill withdrawal  
 Pursuant to Rule 44(a), I would like to request that Senate Bill 255 be withdrawn from further consideration.

#### SENATE MOTION

Madam President: I move that Senator Garton be removed as author of Senate Bill 11 and that Senator Drozda be substituted therefor.

GARTON

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Garton be removed as author of Senate Bill 14 and that Senator Waterman be substituted therefor.

GARTON

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Garton be removed as author of Senate Bill 19 and that Senator Kruse be substituted therefor.

GARTON

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Landske be added as second author of Senate Bill 69.

WEATHERWAX

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Weatherwax be added as coauthor of Senate Bill 78.

HEINOLD

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator R. Young be added as coauthor of Senate Bill 87.

JACKMAN

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Jackman be added as coauthor of Senate Bill 160.

WYSS

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senators Landske and Kruse be added as coauthors of Senate Bill 245.

HERSHMAN

Motion prevailed.

#### SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, January 10, 2006.

LONG

Motion prevailed.

The Senate adjourned at 2:16 p.m.

MARY C. MENDEL  
 Secretary of the Senate

REBECCA S. SKILLMAN  
 President of the Senate